

29.06.2026

Item No.149

Ct.No.35

dc.

Allowed

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION**

C.R.M. (NDPS) 1091 of 2026

In Re : An Application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Kaliachak Police Station Case No. 376 of 2025 dated 08.03.2025 under Sections 21(c)/27A/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In Re : **Mejarul Hoque @ Merajul Hoque**

... Petitioner.

Md. Wasim Akram,
Ms. Sabrina Parveen

... For the Petitioner.

Mr. Gouranga Kumar Das, APP,
Mr. Sayan Mukherjee

... For the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for more than three months. There has been no recovery from the present petitioner and the petitioner has been implicated on the basis of statement of co-accused as the petitioner has supplied the contraband. Charge-sheet has already been submitted and charges have already been framed. Prosecution has relied upon six witnesses in order to prove its case. However, till date, witness action has not commenced.

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail as there were communications between the present petitioner and the accused from whom seizure has been effected at the relevant point of time when the said accused was apprehended.

Learned advocate for the petitioner has also drawn the attention of the Court to the chemical examiner's report which reflects that presence of Diacetylmorphine (Heroin), 6-Monoacetylmorphine, Morphine and Codeine. Having considered the same, I am of the view that the judgement of the Hon'ble Supreme Court in *Sentu Seikh Vs. State of West Bengal* arising out of SLP (Crl.) No. 13987/2025 is applicable to the facts of the present case. As such, the prayer for bail of the petitioners is **allowed**

Accordingly, the petitioner viz., **Mejarul Hoque @ Merajul Hoque** shall be released on bail upon furnishing bond of Rs.20,000/-, with two sureties of Rs.10,000/- each, one of whom must be local, to the satisfaction of the learned Judge, Special Court under the NDPS Act, 4th Court, Malda.

If on bail, the petitioner shall be physically present on each and every date so fixed by the learned Special Court and shall not leave the jurisdiction of the district of Malda without prior permission of the learned Special Court.

The application for bail, being CRM (NDPS) 1091 of 2026, is, thus, disposed of.

Memo of Evidence submitted on behalf of the State along with the communication reflecting there are no criminal antecedents of the present petitioner be kept with the records.

All concerned parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)