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11.06.2026
Bpg.
Allowed

C.R.M. (NDPS) 1152 of 2026

In Re: An application for bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Bagdah Police Station Case No.456 of 2025 dated 25.05.2025 under Sections 21(c)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985;

Manoj Biswas & Anr.
Versus
The State of West Bengal

Mr. Debasis Kar
Ms. Suhana Parvin.
...for the petitioners.

Mr. L. Vishal Kumar
Mr. Saswata Chatterjee.
...for the State.

Learned advocate appearing for the petitioners submits that the petitioners are in custody since 10th April, 2026. There has been no recovery from the present petitioners and they have been implicated on the basis of the statement of the co-accused. Further, the subject matter of the case relates to total recovery 125 bottles of phensedyl from another accused.

Learned advocate for the State opposes the prayer for bail as the anticipatory bail of the present petitioners were rejected by the Hon'ble Apex Court.

The concept of anticipatory bail and bail are completely different. In spite of 60 days in custody no seizure was effected at the behest of the present petitioners, neither previously there was any seizure from the present petitioners. Petitioners have been

implicated because of their complicity with the other accused from whom seizure has been effected. The said accused person has been released on bail.

Having considered the facts situation of the present case, I am of the view that further detention of the present petitioners are unwarranted as some time will be required to take the trial to its logical conclusion.

Accordingly, the prayer for bail of the petitioners is allowed. The petitioners, namely, Manoj Biswas and Bhabatosh Biswas shall be released on bail upon furnishing bond of Rs.20,000/- (Rupees Twenty Thousand only) each with two sureties of Rs.10,000/- each, one of whom must be local to the satisfaction of the learned Judge, Special Court, under NDPS Act, 6th Court, Barasat, 24 Parganas (North). If on bail, the petitioners shall be physically present on each and every date before the learned trial court and shall not leave the district of 24 Parganas (North) without prior permission of the learned special court.

Thus, CRM(NDPS) 1152 of 2026 is allowed.

All 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 of all requisite formalities.

(Tirthankar Ghosh, J.)

