

29.06.2026
Ct. 35/sl 200
tkm

CRM (NDPS) 1203 of 2026

In Re : An application for bail under Section 483 of the BNSS 2023 in connection with Baishnabnagar PS case no. 0108 of 2025 dated 30.01.2025 under sections 21(c)/29 of the NDPS Act

And

In Re : Iqbal Sk @ Ekbal Sk

..... petitioner

Allowed

Mr. Ayan Bhattacharya, Sr. Adv.
Mr. S Mondal

..... for the petitioner

Mr. Bhaskar Seth

..... for the State

1. Learned advocate for the petitioner submits that the subject matter of the case relates to alleged recovery of 453 gms. of brown sugar from the possession of the petitioner. Petitioner is in custody for one year and five months. Although charges have been framed, till date witnesses action has not commenced.

2. Learned advocate for the State opposes the prayer for bail.

3. I have taken into the materials available in the case diary including the chemical examiner's report which reflect presence of Diacetylmorphine (heroin), 6 Monoacetylmorphine and acetylcodeine. Having considered the judgment of the Hon'ble Supreme Court in ***Sentu Seikh vs. State of West Bengal [SLP (Crl.) No. 13987 of 2025]***, as also the fact that witnesses action has not commenced and prosecution has relied upon eight witnesses in the charge sheet to prove its case, I am inclined to release the petitioner on bail.

4. Accordingly, the petitioner namely Iqbal Sk @ Ekbal Sk be released on bail upon furnishing a bond of Rs.20,000/- with two sureties of like amount each, one of whom must be local to the satisfaction of the learned judge, Special Court under NDPS Act, 4th Court Malda. If on bail, the petitioner shall be physically present on each and every date of hearing before the jurisdictional court and shall not leave the district of Malda without prior permission of the trial court.

5. In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

6. With the aforesaid observation, CRM (NDPS) 1203 of 2026 is allowed.

7. Memo of evidence submitted by the State is taken on record.

(Tirthankar Ghosh, J.)