

03.06.2026

D/L No.107

Court No.7

S.Gayen/

Rohan

Vacation

Bench

(Allowed)

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

C.R.M.(NDPS) 1147 of 2026

In Re: An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Haringhata Police Station Case No. 661 of 2024 dated 17.12.2024 under sections 20(b)(ii)(c)/25/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985;

-And-

In the matter of: Feraul Haque

...Petitioner

Mr. Shoubhik Mitter

Mr. Joy chakraborty

Mr. Sandip Dinda

...for the Petitioner

Mr. Brajesh Jha, Ld. APP

Mr. Amartya Mohan Bhattacharyya

...for the State

1. It appears from the record that in spite of direction of this Court on 18.12.2025 in CRM (NDPS) 1398 of 2025, the charge was not framed till date.
2. The petitioner is in custody for 1 year 5 months.
3. The learned counsel for the State has vehemently opposes the prayer for bail but showing his good gesture, he has submitted that charge has not been framed till date in spite of direction of the Hon'ble Coordinate Bench.
4. In view of the above, I am inclined to enlarge the petitioner on bail on certain conditions since the fundamental rights enshrined under Article 21 of the Constitution of India overrides the restrictions under Section 37 of the NDPS Act.

5. Accordingly, the application for bail of the petitioner namely, Feraul Haque is, thus, **allowed**.
6. I direct that the petitioner shall be released on bail upon furnishing a bond of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties of like amount each, one of whom must be a local, to the satisfaction of the learned Judge, Special Court, NDPS Act, Nadia at Krishnanagar. The petitioner shall appear before the learned Trial Court on each and every day of substantive hearing subject to the provisions of Section 317 of the Code of Criminal Procedure, 1973/Section 355 of the Bharatiya Nagarik Suraksha Sanhita, 2023 and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever. The petitioner shall meet the Investigating Officer once in a fortnight until further order and shall not leave the jurisdiction of the concerned police station without prior permission of the learned Trial Court, except for the purpose of attending Court.
7. In the event, the petitioner fails to comply with any of the conditions as stated above, the learned Trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.
8. Thus, the application for bail being **C.R.M. (NDPS) 1147 of 2026** stands disposed of.
9. Urgent Photostat certified copy of this order, if applied for, be given to the parties upon compliance with all requisite formalities.

(Apurba Sinha Ray, J.)