

29.05.2026

Item No. VB93
Court No. 07
Asraf, AR(Ct.)/
Sudipta

ALLOWED

In the High Court at Calcutta
Criminal miscellaneous jurisdiction
Appellate side

CRM (NDPS) 1162 of 2026

In Re : An application for bail under Section 483 of the BharatiyaNagarik Suraksha Sanhita, 2023 filed in connection with Muchipara Police Stationcase no. 159 of 2023 dated 20.10.2023 corresponding to NDPS case no. 27 of 2023 under Sections 20(b)(ii)(c) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

-AND-

In Re : **Alamin Shaikh @ Alamin Sk. @ Alamin Sheikh**
.....Petitioner

For the Petitioner :

Ms. Saba Parween

.....Advocate

For the State:

Mr. BrajeshJha

Mr. Amartya Mohan Bhattacharyya

.....Advocates

1. The allegation against the petitioner is that 83 kgs of Ganja was recovered from the joint possession of present petitioner and four other accused persons. Petitioner along with the other accused persons were arrested on 19th October, 2023 and the petitioner is in custody for about 2 years 7 months. Therefore, petitioner prayed that considering his period of detention he may be released on bail on any terms and condition.

2. Learned counsel appearing on behalf of the State opposed the prayer for bail.
3. Having considered the submissions made on behalf of the petitioner and the State, it appears that the Apex Court has granted bail to one of the co-accused, namely, Rozyna Begam @ Rozyna Begum @ Razyna Begum in Special Leave to Appeal (Crl.) No(s). 8816/2026, on 18.05.2026 taking into consideration the period of detention and that the trial has not proceeded for long and also considering the quantum of contraband recovered from the possession of the said co-accused. It further appears that this Court while rejected the bail prayer of the co-accused directed the Trial Court to make substantial progress in the trial and complete at least the vital witnesses required to fortify the charges framed. This Court also noted earlier that at least on the last four occasions there were no efforts on behalf of the prosecution to proceed with the case. The prosecution proposes to examine 11 witnesses and out of which they could examine so far only two witnesses.
4. Having considered the aforesaid facts and circumstances of the case and also considering the period of detention and that no substantial progress in the trial has been made and that it is uncertain as to when the trial would conclude, the prayer for bail made by the petitioner is allowed only on the touchstone of Article 21 of the Constitution.

5. In view of above, petitioner, namely, **Alamin Shaikh @ Alamin Sk. @ Alamin Sheikh** is enlarged on bail upon furnishing bond of Rs.20,000/- (Rupees Twenty Thousand only) with two registered sureties of Rs.10,000/- each, one of which must be local, subject to the satisfaction of the learned Chief Judicial Magistrate, Calcutta and also on condition that the accused person shall not mis-use the liberty granted by this Court and he shall not tamper with any evidence orally or documentary during the trial. He shall not leave the jurisdiction of trial court without taking leave from trial court. He shall not absent himself on any day during trial and shall not commit any offence while on bail. He shall give his mobile phone number to the local police station and shall not change it without prior permission of the trial court and he shall not in any manner try to delay the trial. Be it mentioned in case of violation of any of the conditions as above, the trial court will be at liberty to cancel the bail without making any further reference to this court.
6. Be it further mentioned, that anything said herein shall not be construed as an expression of opinion on the merit of the case.
7. The application for bail is accordingly disposed of.
8. Urgent Photostat certified copy of this order, if applied for, be given to the parties, upon compliance of all requisite formalities.

(Dr. Ajoy Kumar Mukherjee, J.)