

01.07.2026
Serial no. 311
[G.S.D]

CRM (NDPS) 1278 of 2026

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/under Section 483 of the BNSS, 2023 in connection with TR Case No. 03 of 2024 corresponding to TR (NDPS) Case No. 03 of 2024 arising out of Sankrail PS Case No. 134 of 2024 dt. 17.02.2024 u/s 20(b)(ii)C/29 of the NDPS Act.
-And-

In the matter of : Biswanath Das

Md. Wasim Akram
Ms. S. Parveen

... .. Petitioner(s)

... for the Petitioner(s)

Ms. Arishi Rathore
Ms. Rima Banerjee

... for the State-respondent(s)

Learned advocate for the petitioner submits that the petitioner is in custody for two years four months and till date not even a single witness has been examined. However, charges have been framed. Learned advocate also submits that similarly placed accused persons have been granted statutory bail. The petitioner was unfortunate as no application under Section 36A(4) of the NDPS Act was preferred.

Learned advocate for the State opposes the prayer for bail but is unable to refute the contention that till date no witness has been examined.

Having considered the period of detention of the present petitioner which is from 17th February, 2024, only

on the ground of Article 21 of the Constitution of India i.e., period of detention, I am inclined to enlarge the petitioner on bail.

Hence, the prayer for bail of the petitioner is **Allowed.**

Accordingly, the petitioner viz, **Biswanath Das** shall be released on bail upon furnishing bond of Rs.20,000/- (Rupees Twenty Thousand only), with two sureties of Rs.10,000/- (Rupees Ten Thousand only) each, one of whom must be local, to the satisfaction of the learned Judge, Special Court (NDPS Act), Howrah.

If on bail, the petitioner shall also make himself physically available on each and every date so fixed by the learned Special court/trial court and shall not leave the district of Howrah without prior permission of the learned Special Court/trial court.

Accordingly, CRM (NDPS) 1278 of 2026 is **allowed.**

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

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

(Tirthankar Ghosh, J.)

