

D/L 285

03.07.2026
Rohit, A.R.(Ct.)
ct.no.35
Allowed

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

C.R.M (NDPS) 1323 of 2026

**Marooque Hussain
Vs
Union of India**

In Re: An Application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with NDPS-4 of **2026** corresponding to F. No. **S1(VII)-13/2026 (AIU)** dated **January 16, 2026** under Sections **20(b)(ii)(B)/23B** of the Narcotic Drugs and Psychotropic Substances (N.D.P.S.) Act, 1985
And

In the matter of : Marooque Hussain

.....Petitioner.

Mr. Navanil De
Mr. Shoumilya Mazumder

...for the Petitioner

Mr. V.S. Bhattacharyya
Mr. K.K. Maiti

...for the Air Customs Authority

1. Learned Advocate appearing for the petitioner submits that petitioner has been implicated in the instant case for alleged recovery of 1496 gms of ganja. Petitioner was intercepted at the airport and since then he is in custody for 5 months 18 days.

2. Learned Advocate appearing for the Air Customs Authority opposes the prayer for bail.

3. However, having considered the judgment of the Hon'ble Supreme Court in **Barnali Bag -Vs- Union of India (Special Leave Petition (Crl.) No. 3641 of 2026**

wherein emphasis was made on intermediate quantity I am inclined to release the petitioner on bail.

4. Accordingly, the prayer for bail of the petitioner is allowed. The petitioner, namely, **Marooque Hussain** 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 Learned Judge, Special Court, 8th Court, under NDPS Act, Barasat, North 24 Parganas.

5. If on bail, the petitioner shall be physically present on each and every date before the learned Trial Court and shall not leave the district of North 24 Parganas without prior permission of the learned Special Court and shall make himself available as and when called for by the Air Customs authorities.

6. Accordingly, C.R.M (NDPS) 1323 of 2026 is **allowed**.

7. All parties shall act in terms of server copy of the order downloaded from the Official website of this Court.

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

(Tirthankar Ghosh, J.)