

03.07.2026
Court No.35.
D/L. 345.
Kausik
(Allowed)

CRM (NDPS) 1383 of 2026

In Re: An Application for Bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023/ Section 439 of the Code of
Criminal Procedure, 1973 in connection with F. No. S1(VII)-
61/2026 (AIU) dated 02.03.2026 under Sections 20(b)(ii)(B) and
23(b) of the NDPS Act, 1985.

And

In the matter of : Shahnawaz Mohammed Farooq Machiwala

.....Petitioner.

Mr. Imran Ali
Ms. Ankita Bose

.....for the Petitioner.

Mr. Bhaskar Prasad Banerjee

.....for the Air Customs Authority.

Petitioner is directed to handover a copy of the bail
application to Mr. Bhaskar Prasad Banerjee, learned advocate
who ordinarily appears on behalf of the Air Customs Authority.
His appearance may be regularized by the concerned
authorities.

Petitioner has prayed for bail on the same principles as
on which the Hon'ble Supreme Court in **Barnali Bag Vs. Union
of India (Special Leave Petition (Crl.) No. 3641 of 2026)** has
been pleased to allow the bail wherein emphasis was on
intermediate quantity.

Learned advocate for the Air Customs Authority
opposes the prayer for bail.

I have taken into account the judgment of the Hon'ble Supreme court and I am of the view that the petitioner is entitled to the same relief. As such, prayer for bail of the petitioner is allowed.

Accordingly, Petitioner, namely, **Shahnawaz Mohammed Farooq Machiwala** shall furnish 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 (under NDPS Act), Barasat, North 24 Parganas.

If on bail, the petitioner shall be physically present on each and every date fixed before the learned Trial Court and shall not leave the jurisdiction of District of 24 Parganas North without the prior permission of the learned Special Court.

Petitioner shall make himself available as and when call for by the investigating agency or by any Officer assigned by the Principal Commissioner of Airport till further orders of this Court.

As such, CRM (NDPS) 1383 of 2026 is **allowed**.

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

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

(Tirthankar Ghosh, J.)