

12.02.2026
Serial no. 168
[G.S.D]

CRM (NDPS) 1179 of 2025

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 Kumarganj Police Station Case No. 76 of 2025 dated 02.03.2025 u/s 21(c)/22(c)/23(c)/25/27A of the NDPS Act.
-And-

In the matter of : Rafikul Molla @ Rafikul Molya & Anr.

... Petitioner(s)

Mr. Sekhar Kumar Basu, Sr. Counsel
Mr. Kaushik Choudhury
Mr. Sabyasachi Hazra

... for the Petitioner(s)

Ms. Amita Gaur
Mr. Santanu Deb Roy

... for the State-respondent(s)

Learned advocate for the petitioners submits that there were recoveries of 318 bottles of phensedyl and phensegrip from three different accused persons. Learned advocate added that the petitioners have been implicated in the present case only on the basis of statement of a co-accused.

Learned advocate for the State opposes the prayer for bail and submits that there are Call Data Records (CDR) and money trail which has been unearth in course of the investigation.

It has also been submitted that so far as the petitioner no.2 is concerned, there are two antecedents.

I have taken into account the charge-sheet which has been submitted along with the supporting materials. *Prima facie*, I do not find any bank officer and/or any officer from the intermediary/Nodal Officer of the service provider as a witness in the case.

Having taken into account the same as also the fact the petitioner no.1 is in custody for more than eight months and the petitioner no.2 is in custody for more than six months, I am of the view that further detention of the present petitioners are unwarranted in the facts and circumstances of the case.

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

Accordingly, the petitioners viz, **Rafikul Molla @ Rafikul Molya and Mridul Ghosh** shall be released on bail upon furnishing bond of Rs.20,000/-(Rupees Twenty Thousand only) **each**, with two sureties of Rs.10,000/-(Rupees Ten Thousand only) each, one of whom must be local, to the satisfaction of the Learned Special Court under NDPS Act-cum-learned Additional Sessions Judge, 3rd Court, Dakshin Dinajpur at Balurghat.

If on bail, the petitioners shall also make themselves physically available on each and every date so fixed by the learned trial court and shall not leave the district of Dakshin

Dinajpur without prior intimation to the learned Special court.

Accordingly, CRM(NDPS) 1179 of 2025 is **allowed**.

Pending application(s), if any, is also disposed of.

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.)