09.10.2026
Court No.35.
D/L.25.
Rakib
(Allowed)

CRM (NDPS) 2106 of 2026

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Kaliachak Police Station case no. 326 of 2020 dated 30.04.2020 under Sections 21(b)/22(a)/29 of the NDPS Act.

And

In the matter of : Sariful Islam @ Kalu Sk.

.....Petitioner.

Mr. Sandip Chakraborty
Mr. Kaustav Das
Ms. Payel Das

.....for the Petitioner.

Mr. Subhasish Pachhal, Ld, APP
Ms. Suparna Biswas

.....for the State.

Learned advocate appearing for the petitioner submits that there has been no recovery from the present petitioner, although, there has been recovery of 105 grams of brown sugar and 8 grams of 'WY' tablets, charge-sheet was submitted in the year 2020 and the petitioner surrendered on 03.07.2026.

Learned advocate appearing for the State submits that there are antecedents of the petitioner and the petitioner has been described as supplier of contraband.

Petitioner relies upon two of the orders from which it reflects that petitioner was earlier granted anticipatory bail in connection with one case being Kaliachak Police Station case no. 229 of 2022.

State on being confronted with the issue relating to CDR or money trail, submitted that so far as the records of the case are

concerned, no CDR or money trail could be attributed to the present petitioner in relation to the offence complained of.

Having regard to the fact that there has been no recovery from the present petitioner and other leads are vague, I am of the opinion that custodial detention of the present petitioner is unwarranted in the facts of the present case. As such, the prayer for bail of the petitioner is **allowed.**

Accordingly, the petitioner, namely, **Sariful Islam @ Kalu Sk**. 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 (under NDPS Act), 3rd Court, Malda.

If on bail, the petitioner shall be physically present on each and every date before the learned Trial Court and shall not leave the jurisdiction of district of Malda without prior permission of the learned Special Court.

Thus, CRM (NDPS) No. 2106 of 2026 is **allowed.**

The observations made above are only restricted for adjudication of the bail application and should not be considered a final opinion on the merits of the case.

Memo of evidence submitted by the State and the order sheet submitted by the petitioner be kept with the record.

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.)