09.10.2026
Court No.35.
D/L.49.
Rakib
(Allowed)

CRM (NDPS) 2136 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 N. Case No. 24 of 2026 arising out of F. No. S1(VII)-63/2026 (AIU) dated 07.03.2026 under Sections 20(b)(ii)(B)/23(b) of the NDPS Act.

And

In the matter of : Haroonbhai Babubhai Panwala

.....Petitioner.

Mr. Angshuman Chakraborty
Mr. S. S. Saha
.....for the Petitioner.

Mr. Vipul Kundalia, Sr. Adv,
Mr. Kaustuv Maiti
.....for the Air Customs Authority

Learned advocate appearing for the petitioner submits that petitioner was intercepted at the Kolkata Airport with alleged recovery of 3528 grams of ganja on 07.03.2026 and since then he is in custody.

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

However, both the advocates submit that complaint has already been submitted before the jurisdictional Court.

Having regard to the judgment of the Hon'ble Supreme Court in **Barnali Bag –Vs. – Union of India [Special Leave Petition (Crl.) No. 3641/2026]** wherein emphasis was made on intermediate quantity , I am inclined to release the petitioner on bail. Accordingly, the prayer for bail of the petitioner is **allowed.**

As such, the petitioner, namely, **Haroonbhai Babubhai Panwala** 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), 8th Court, Barasat, North 24 Parganas.

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 North 24 Parganas without prior permission of the learned Special Court.

Additionally, petitioner shall make himself available as and when called for by the investigating officer or the Principal Commissioner, Air Customs Authority (Airport) till the further orders of this Court.

Thus, CRM (NDPS) No. 2136 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.

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.)