

20.01.2026
Court No.35.
M/L.58.
Rakib
(Allowed)

CRM (NDPS) 1351 of 2025

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 Sagarpara Police Station case no. 148 of 2025 dated 12.02.2025 under Sections 21(c)/29 of the of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of : Masidul Sk @ Masadul @ Toni @ Toni Kalu

.....Petitioner.

Mr. Arnab Chatterjee
Mr. Avik Ghosh

.....for the Petitioner.

Mr. Bibhasan Bhattacharya
Mr. Debjani Sahu

.....for the State.

Learned advocate appearing for the petitioner submits that petitioner is in custody for 10 months, charges have been framed and the subject matter of the case relate to 997 bottles of phensedyl having been recovered from other accused persons.

Learned advocate for the State opposes the prayer for bail and submits that so far as the complicity of the present petitioner is concerned it is found from the records that the petitioner fled away from the place of occurrence, thereafter he was apprehended. On being apprehended he named certain other accused persons. The police authorities apprehended one of the accused persons and pursuant to his statement another 100 bottles of phensedyl were recovered.

I have taken into account the submissions advanced by the parties and also the fact that petitioner was shown arrested in connection with this case. The earlier case for which the petitioner

was arrested was under the Arms Act. There has been no recovery from the petitioner in course of the investigation in connection with this case. Some of the accused persons have been granted anticipatory bail in connection with this case whose name was divulged by the present petitioner.

Having regard to the same that there is no recovery from the petitioner and the petitioner is in custody for 10 months, I am of the view further detention of the petitioner is unwarranted. As such, the prayer for bail of the petitioner is **allowed**.

Accordingly, petitioner namely, **Masidul Sk @ Masadul @ Toni @ Toni Kalu** 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 cum Additional District and Sessions Judge, 5th Court, Berhampore, Murshidabad.

If on bail, the petitioner shall be physically present on each and every date before the learned trial Court in seisin of the case and shall not leave the jurisdiction of district of Murshidabad without the prior permission of the learned Special Court.

Accordingly, the application for bail being CRM (NDPS) No. 1351 of 2025 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.)