25.11.2026
Court No.35.
D/L. 214.
Kausik
(Allowed)

CRM (NDPS) 2166 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 Kaliachawk Police Station Case No. 1665 of 2025 dated 24.09.2025 under Sections 21(c)/27A/29 of the NDPS Act, 1985.

And

In the matter of : Mobarok Sk @ Football

.....Petitioner.

Mr. Sekhar Kr. Basu, Sr. Adv.
Mr. Priyankar Ganguly
Mr. Amaan Deep Gupta
Ms. Pipasa Chakraborty

.....for the Petitioner.

Mr. Somopriyo Chowdhury

.....for the State.

Learned advocate appearing for the petitioner submits that petitioner was arrested on the basis of statement of co-accused. There has been no recovery from the present petitioner and he is in custody since 30th July, 2026. Charge sheet has already been submitted in connection with the instant case. As such, further detention of the present petitioner is unwarranted.

State opposes the prayer for bail on the ground that 39.27 Kgs. of Brown Sugar were recovered in the present case. However, so far as the present petitioner is concerned, according to the State, except the statement of co-accused, there are no other materials, either CDR, money trail or any statement of independent witnesses. However, State submits

that there are two criminal antecedents of the present petitioner. Both relate to violation of NDPS Act. In spite of such antecedents as there are no admissible evidence so far as the present petitioner is concerned, I am of the opinion that further custodial detention of the present petitioner is unwarranted in the facts of the present case.

As such, prayer for bail is allowed.

As such, petitioner, namely, **Mobarok Sk @ Football** be enlarged on bail subject to 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 Learned Judge, NDPS Act, 4th Court, Malda.

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 Malda without the prior permission of the learned Special Court.

Accordingly, CRM (NDPS) 2166 of 2026 is **allowed**.

Memo of Evidence submitted 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.)