25.11.2026
Court No.35.
D/L.220.
Rakib
(Allowed)

CRM (NDPS) 2218 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. 340 of 2019 dated 17.06.2019 under Sections 18(c)/21(c) of the NDPS Act.

And

In the matter of : Saba Sk @ Saba Karim

.....Petitioner.

Mr. Sekhar Kr. Basu, Sr. Adv,
Mr. Priyankar Ganguly
Mr. Amaan Deep Gupta
.....for the Petitioner.

Mr. Debajyoti Adhikary
Mr. Sunil Gupta
.....for the State

Learned senior advocate appearing for the petitioner submits that although there has been alleged recovery of commercial quantity of contraband in the present case but the petitioner has been implicated on the basis of statement of co-accused.

Learned advocate appearing for the State opposes the prayer for bail as huge quantity of recovery has been made and it has been submitted that there are criminal antecedents of the present petitioner.

However, on being confronted, State submitted that so far as the materials in the present case is concerned, it is based on the statement of co-accused for the purposes of which the petitioner has been made accused in the present case.

I have taken into account the other submissions of the State that the case is of the year 2019 and petitioner has surrendered in the year 2026.

Be that as it may, so far as the merits of the case is concerned, the same is based on co-accused statement implicating the petitioner. Having considered the same, I am of the opinion that further custodial detention of the present petitioner is unwarranted. As such, prayer for bail of the petitioner is **allowed.**

Accordingly, the petitioner, namely, **Saba Sk @ Saba Karim** 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, 4th Court, Malda.

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

Thus, CRM (NDPS) No. 2218 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 and status report submitted by the State 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.)