

M/L81
21.01.2026
Bpg.
Allowed

C.R.M. (NDPS) 1489 of 2025

In Re: An application for bail under Section 439 of the Criminal Procedure Code, 197/under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Berhampore Police Station Case No.308 of 2014 dated 07.03.2014 under Section 21(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985;

Tapas Halder @ Tapos Haldar
Versus
The State of West Bengal

Mr. Kazi M. Rahman.
...for the petitioner.

Mr. Subhamay Bhattacharya
Ms. Dhanasree Biswas.
...for the State.

Learned advocate appearing for the petitioner submits that from three accused persons six litres of Codeine Phosphate were recovered and the petitioner was earlier granted bail but because he could not attend the court, warrant of arrest was issued and subsequently surrendered and was taken into custody and is in custody for the last six months.

Learned advocate for the State opposes the prayer for bail and submits that the other two accused persons are still absconding and, because of the absence of the other accused persons, the trial of the case has been jeopardized.

Be that as it may, having considered that there is no possibility of the trial concluding very soon, I am of the view that the petitioner be released on bail.

Accordingly, the prayer for bail of the petitioner is allowed. The petitioner, namely, Tapas Halder @ Tapos Haldar shall be released on bail upon furnishing bond of Rs.20,000/- (Rupees Twenty Thousand only) with two sureties of Rs.10,000/- each, one of whom must be local to the satisfaction of the learned Judge, Special Court, under NDPS Act-cum-learned Additional Sessions Judge, 5th Court, Berhampore, Murshidabad. If on bail, the petitioner shall be physically present on each and every date fixed by the learned trial court and shall not leave the jurisdiction of the district of Murshidabad without the prior permission of the learned special court.

Accordingly, CRM (NDPS) 1489 of 2025 is allowed.

All parties shall act on the server copy of this order duly 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 of all requisite formalities.

(Tirthankar Ghosh, J.)