

02.02.2026

Court No.35.

M/L.39.

Rakib

(Allowed)

CRM (NDPS) 1615 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 Rampurhat Police Station case no. 231 of 2025 dated 14.05.2025 under Sections 20(b)/22 of the of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of : Ismail Mohammad.

.....Petitioner.

Mr. Saryati Datta

.....for the Petitioner.

Mr. Soumik Ganguly

Mrs. Smita Saha

.....for the State.

Learned advocate appearing for the petitioner submits that petitioner is in custody for more than seven months and he has been implicated in the instant case on the basis of statement of co-accused and he was also found in close proximity of the place where the offence took place.

Earlier a stand was taken by the State that there was communications between the present petitioner and the principal accused/Saurav Kumar Das from whom recovery has been effected.

I have taken into account the materials appearing in the Case Diary and a report was called for from the Inspector-in-Charge of Rampurhat Police Station as the Call Data Records were not authenticated and/ or relied upon in the charge-sheet. Accordingly, report has been submitted by the I.C. Rampurhat, Birbhum which reflects that there was no prayer advanced for authentication of CDR which were collected in course of the investigation.

Consequently, I am of the view that rigors of Section 37 of the NDPS Act is diluted, as such prayer for bail of the petitioner is **allowed.**

Accordingly, petitioner namely, **Ismail Mohammad** 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, Suri, Birbhum.

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 Birbhum without the prior permission of the learned Special Court.

Thus, the application for bail being CRM (NDPS) No. 1615 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.)