

55 ARDR
Allowed

CRM (NDPS) 36 of 2026

And

... Petitioner

... for the Petitioner.

...for the State.

Learned counsel for the State opposes the prayer.

It is a fact that the contraband substance of commercial quantity has been recovered from the possession of the petitioner. Charge sheet has been submitted. The search and seizure have admittedly not been videographed in terms of the mandate laid down by this Court. It is also not in dispute that the grounds of arrest have not been communicated to the petitioner at the time of his arrest.

In view of such laches on the part of the arresting officer, the petitioner is entitled to be released on bail.

Accordingly the petitioner namely Ainul Miah be released on bail upon furnishing bond of Rs.20,000/- (Rupees Twenty thousand only), with two sureties of like amount each, one of whom should be local, to the satisfaction of the learned Additional Sessions Judge, 1st Court, (NDPS Act) Jalpaiguri subject to condition that he shall appear before the learned trial Court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to adhere to any of the conditions as stated above without justifiable cause, the learned trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

CRM (NDPS) 36 of 2026 is thus disposed of.

Case Diary be returned.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent certified website copy of this order, if applied for, be given to the parties, upon compliance with all requisite formalities.

(Suvra Ghosh, J.)