

February 18, 2026

54 ARDR
Allowed

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
CRIMINAL MISCELLANEOUS JURISDICTION**

CRM (NDPS) 92 of 2026

In Re : An application for bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 in connection with **Sahebganj**
Police Station case no. **453** of **2025** dated **2/8/2025** under Sections
21(c)/22(b)/29 of the NDPS Act.

And

In Re : **Aalam Hosen @ Alam Hossain**

... Petitioner

Adv. Bikramaditya Ghosh,
Adv. Prajnadeepta Roy,
Adv. Jaimallya Bhattacharya,
Adv. Vivek Saha,

... for the Petitioner.

Adv. Kallol Acharjee,
Adv. Aniruddha Biswas,

...for the State.

Learned counsel for the petitioner submits that the petitioner is in custody for about 200 days. No grounds of arrest were communicated to him at the time of his arrest. The search and seizure were not videographed. Though certificate of correctness of the inventory was issued on 4th September, 2025 by the learned Judicial Magistrate, the seized articles were sent for forensic examination on 8th October, 2025, i.e. prior to issuance of the certificate. Learned counsel places reliance on the authority in Mohammed Khalid & anr. vs. State of Telangana reported in (2024) 5 SCC 393 and an order of the coordinate Bench passed in CRM (NDPS) 478 of 2025 passed on 22nd December, 2025 in support of his contention.

Learned counsel for the State opposes the prayer.

Though it appears that a document termed as “grounds of arrest” has been made over to the petitioner, the document is devoid of any such ground. The irregularities pointed out by the learned counsel for the petitioner are not in dispute.

In view of the above, the petitioner is entitled to be released on bail.

Accordingly, prayer for bail is allowed.

The petitioner namely Aalam Hosen @ Alam Hossain 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) Cooch Behar 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) 92 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.)