S.L.24
Ct. 05

08.10.2026
Bd.
Allowed.

In the High Court at Calcutta

Circuit Bench at Jalpaiguri
CRM (NDPS) 564 of 2026

Alomgir Hoque @ Hossain

Vs.

State of West Bengal

In Re:- An application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Sahebganj Police Station case no. 178 of 2026 dated 28.4.2026 under Sections 20(b)(ii)(c)/29 of the NDPS Act.

Mr. Sourav Ganguly
Mr. Gopal Roy
Ms. Rishita Chakraborty
...for the petitioner

Mr. Avrojyoti Das
Mr. Bijay Bikram Das
Mr. Supritam Nag ... for the State.

Petitioner in support of his bail prayer submits that he is in custody for about 149 days and no recovery was made from the possession of the present petitioner. Petitioner has been implicated on the basis of co-accused statement. On earlier occasion also he was implicated on the basis of co-accused statement being CRM (A) 22 of 2026 where he was granted anticipatory bail by this court.

Learned counsel for the petitioner submits that statement made by the co-accused has got no evidentiary value and therefore he may be released on bail on any terms and conditions.

In this context, he also relied upon a judgment of the Apex Court in the case of **Khairul Sk. Vs. The State**

of West Bengal in **Special Leave to Appeal no. (Crl) no(s). 13282 of 2023.**

Having heard learned counsel appearing on behalf of the petitioner and the State, that no recovery was made from the possession of the present petitioner and further investigating agency also court not establish any relationship by way of any CDR or money trail, the prayer for bail made by the petitioner is allowed.

Accordingly, the petitioner namely, **Alomgir Hoque @ Hossain** shall be released on bail upon furnishing a bond of Rs. 20,000/- with two registered sureties of Rs. 10,000/- each, of which one must be local, subject to the satisfaction of the learned Additional Chief Judicial Magistrate, Coochbehar and also on condition that the accused person shall not misuse the liberty granted by this Court and he shall not tamper with any evidence orally or documentary during the trial. He shall not absent himself on any day during trial and shall not commit any offence while on bail. He shall give their mobile phone number to the local police station and shall not change it without prior permission of the trial court and he shall not in any manner try to delay the trial. The petitioner shall not leave the geographical limit of district of Coochbehar without taking leave from the court below and shall report to the Inspector-in-charge/Officer-in-Charge, Sahebganj Police Station once in a week until further order. The court below will be at liberty to cancel the bail in the event of violation of any of the conditions without making any

further reference to this court and also on condition laid down in section 480(3) of the BNSS.

Be it mentioned, that anything said herein shall not be construed as an expression of opinion on the merit of the case.

Accordingly, CRM (NDPS) 564 of 2026 is disposed of.

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

(Dr. Ajoy Kumar Mukherjee, J.)