

17.06.2026

Item No.145

Ct.No.35

dc.

Allowed

**IN THE HIGH COURT AT CALCUTTA**  
**CRIMINAL MISCELLANEOUS JURISDICTION**

**C.R.M. (NDPS) 953 of 2026**

In Re : An Application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Kaliachak Police Station Case No. 1044 of 2025 dated 15.06.2025 under Sections 21(c)/25/27A/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In Re : **Estab Sk**

... Petitioner.

Mr. Joydeep Biswas,  
Mr. Mainak Gupta,  
Mr. Priyankar Ganguly,  
Mr. Koushik Ghosh,  
Ms. Pipasa Chakraborty

... For the Petitioner.

Mr. Rajendra Banerjee, APP,  
Mr. Sunil Gupta

... For the State.

Learned advocate appearing for the petitioner submits that the alleged recovery in the present case is 478 grams of Heroin and the petitioner is in custody for more than a year. Charge-sheet has already been submitted. However, charge is yet to be framed. Prosecution has relied upon 14 witnesses in order to prove its case. As such, petitioner may be released on bail.

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail and submits that three of the accused persons are absconding. As such, charge could not be framed. Further, according to the State, commercial quantity of contraband has been seized from the present petitioner.

I have taken into account the chemical examiner's report which reflects that from one sample Diacetylmorphine

(Heroin) and Monoacetylmorphine have been detected and from another sample Morphine and 6-Monoacetylmorphine have been detected. Having considered the quantum and the quantitative analysis not being made in view of the judgement of the Hon'ble Supreme Court in *Sentu Seikh Vs. State of West Bengal* arising out of SLP (Cr1.) No. 13987/2025, I am of the opinion that the petitioner is entitled to the benefit. As such, the prayer for bail of the petitioner is **allowed**.

Accordingly, the petitioner viz., **Estab Sk** shall be released on bail upon furnishing bond of Rs.20,000/-, with two sureties of Rs.10,000/- each, one of whom must be local, to the satisfaction of the learned Judge, Special Court under the NDPS Act, Malda.

If on bail, the petitioner shall be physically present on each and every date so fixed by the learned Special Court and shall not leave the jurisdiction of the district of Malda without prior permission of the learned Special Court.

The application for bail, being CRM (NDPS) 953 of 2026, is, thus, disposed of.

All concerned 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 with all requisite formalities.

**(Tirthankar Ghosh, J.)**