

NDPS Case No. 101 of 2025

(Arising out of Boxirhat PS Case No. 123/2025 dated 23.03.2025)

Order No. 35

dated 18.04.2026

The accused Amur Hossain is brought under arrest on the strength of WA issued vide order No. 32 dated 21.02.2026.

He is taken into custody and remanded to J.C.

Record shows that on 21.01.2026 bailable warrant was issued against this accused but he did not surrender before this Court.

Record also shows that in the mean time charge-sheet was submitted and afterwards non-bailee warrant was issued against this accused.

It also appears from the order of the Hon'ble High Court at Calcutta (Circuit Bench at Jalpaiguri) that an application u/s 482 BNSS is pending against the accused and the Hon'ble Court vide order dated 25.03.2026 has been pleased to pass a direction that the present accused/ petitioner shall not be arrested till 10<sup>th</sup> Day of the next available Circuit Bench.

It is unfortunate enough that the said order of the Hon'ble Court was not communicated to this court either by the I.O. or the Ld. PP in charge or the Ld. Advocate for the accused person before this day.

If the said order would be communicated, this accused would not face the harassment today.

When the direction of the Hon'ble Court came to the notice of this court it appears that the protective umbrella of anticipatory bail is still now with the accused.

As the accused was brought under arrest, and as the order of the Hon'ble Court was not within the knowledge of this court, he was taken into custody and remanded to J.C. as per the procedure.

As and when the direction of the Hon'ble Court came to the notice of this court, I think that the accused should not be detained any further and he should be released on bail.

Considering all the accused Amur Hossain may be released on interim bail upto 03.06.2026 on his furnishing bond of Rs 4000/- (rupees four thousand) with two registered suites of Rs 2000/- (rupees two thousand) each subject to satisfaction of Ld. CJM, Cooch Behar and confirmation of this interim bail will depend upon the fate of the petition u/s 482 BNSS pending before the Hon'ble High Court at Calcutta (Circuit Bench at Jalpaiguri) vide CRM (A) 95 of 2026.

Todate.

Let a copy of this order be sent to the Ld. CJM, Cooch Behar for information and taking necessary action.

Dictated & Corrected by,

Sd/-  
Addl. Sessions Judge, 1<sup>st</sup> Court,  
(NDPS) Cooch Behar.

Sd/-  
(Anirban Das)  
JO Code No. WB00691  
Addl. Sessions Judge, 1<sup>st</sup> Court,  
(NDPS) Cooch Behar.