

**In the Court of Additional District & Sessions Judge, 2nd Court,
- Cum -
Judge, Special Court,
Berhampore, Murshidabad.**

**Present : Sri Ajay Kumar Singh
Additional District & Sessions Judge, 2nd Court,
-Cum-
Judge, Special Court, NDPS Act,
Berhampore, Murshidabad.**

**Bail Petition No.:- 147-149 of 2025
(In NDPS Case No.:- 88/2024)**

Re : Application for bail of the petitioners/accused in connection with Lalgola P.S. Case 971/2024, dated 25.09.2024, under Section 21(c)/29 of the NDPS Act.

1. Nurshed Ali @ Bishu
2. Md. Khabiruddin Sk. @ Pukon
3. Md. Abdul Halim @ Bhola

..... Petitioners/Accused Persons

Versus

State of West Bengal

..... O.P.

Later

Order No.:-37

Dated:- 03.09.2025.

Today is fixed for hearing the bail applications filed for the accused persons, namely Nurshed Ali @ Bishu, Md. Khabiruddin Sk. @ Pukon and Md. Abdul Halim @ Bhola.

The record is taken up for hearing the instant bail applications.

Ld. Special P.P. and the Ld. Advocate for the accused persons are present.

At the outset, Ld. Advocate for the petitioners/accused persons has submitted that the chemical examination report in respect of samples sent to the Laboratory [E2] shows negative for presence of any narcotic drug and hence the above named accused persons/petitioners may be enlarged on bail basing upon the chemical examination report submitted by the I.O.

Ld. Special P.P. has raised objection against the prayer for bail.

Heard the rival submissions at the Bar. Considered.

Perused the case record including the chemical examination report.

It appears that the case was started against the accused persons on the allegation of recovery of commercial quantity of contraband substance in terms of Heroin from the possession of the accused persons. The accused persons were brought under arrest and produced before this court on 25.09.2024 and since then they are in custody. It further appears that during the investigation the samples of the seized material were sent for examination/chemical analysis and the report of chemical examination was received reporting that the samples [E2] did not contain Heroin and it did not fall under the purview of NDPS Act.

Having heard the facts and circumstances and the report submitted in final form in the light of the report of chemical analyst, I think that the accused persons should not be kept behind the bar.

Accordingly the accused persons, namely Nurshed Ali @ Bishu, Md. Khabiruddin Sk. @ Pukon and Md. Abdul Halim @ Bhola be released at once on their furnishing a PR bond of Rs. 10,000/- individually.

The instant bail applications are disposed of in the above terms.

To date (i.e. 18.11.2025) for appearance of the accused persons, if on bail and appearance of the informant.

Issue notice accordingly.

Dictated & Corrected by me,

Judge, Special Court, NDPS Act,
(J.O. Code:- WB 01303)

Addl. Dist. & Sess. Judge, 2nd Court
- CUM -

Judge, Special Court, NDPS Act,
Berhampore, Murshidabad.
(J.O. Code:- WB 01303).