

Crl Misc Case no 34 of 2026

Present : Sri Monodeep Dasgupta
JO Code WB00967
Judge, Special Court,
3rd Court, Malda.

Order No. 04 dated 17.04.2026

Today is fixed up for hearing of the Misc Case.

This is an application u/s 482 of the BNSS filed by the accused/petitioner Raju Singh @ Rajkumar Singh praying for an order of pre-arrest bail in connection with Gazole PS case no 64of 2026 dated 22.01.2026 u/s 21 (c)/25/27A/29 of the NDPS Act.

The Ld Counsel for the accused/petitioner, moving the prayer for pre-arrest bail, submits that the accused has been falsely implicated in this instant case at the behest of the investigating agency and he has not nexus with the commission of the alleged offences. It is further submitted that the accused is a local person having no chances of absconding and is ready and willing to cooperate with the investigation. Accordingly, the Ld Counsel for the accused / petitioner Raju Singh @ Rajkumar Singh prays for an order of pre-arrest bail on any terms and conditions.

The CD is produced before this COURT by the Ld Spl PP.

Heard the Ld Spl PP who opposes the prayer for prearrest bail on the ground that there is recovery of commercial quantity of brown sugar (299 grams of heroin) (299 grams) and investigating is in progress. Ld Spl PP submits that considering the quantity of the contraband involved in the instant case, the prayer for prearrest bail may be rejected.

Considering the material in CD and the submissions of both sides, it appears to this COURT that though there is recovery of commercial quantity of contraband involved in this instant case but there is no direct recovery from the possession of the accused/petitioner. The only incriminating circumstances against the accused petitioner is the confessional statement of the co accused persons which is inadmissible in evidence. The CD does not reflect any cogent materials at this stage to show any money trail or call records between the accused/petitioner and the other co accused persons. The accused/petitioner is a local person having no chances of absconding. The statements of prime witnesses have been duly recorded u/s 180 BNSS. There has been sufficient progress in the investigation. This court is of the view that custodial detention of the accused petitioner is not required for the purpose of investigation. Accordingly, the application filed by the accused/petitioner Raju Singh @ Rajkumar Singh praying for an order of pre arrest bail is considered and allowed.

On the event of arrest, the accused/petitioner Raju Singh @ Rajkumar Singh shall be released on bail of Rs 20,000/- with two sureties of Rs 10,000/- each out of which one must be local, subject to the satisfaction of the arresting officer, and on further condition that he shall comply all the conditions of pre arrest bail as laid down in 482 BNSS.

Accordingly, the instant Misc Case being no 34 of 2026 filed u/s 482 of BNSS hereby stands allowed on contest and disposed of accordingly.

Let the instant case record of Misc case 34 of 2026 be tagged with the original record.

Dictated and Corrected by me

ASJ, 3rd Court, Malda

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