

18.02.2025
Item no. 64.
Court No.29.
AB
(Allowed)

CRM (NDPS) 109 of 2025

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with NDPS Case No.79 of 2024 under Section 8(c)/ 21(c)/29 of the NDPS Act

And

In the matter of : Mohammad Sk. @ SekhPetitioner.

Mr. Arnab Chatterjee
Ms. Dhanasree Biswas
Ms. Poulami Bosefor the Petitioner.

Mr. Himangshu De, Sr. Adv,
Mr. Sagar Sahafor the NCB.

Dictated by Arijit Banerjee, J.

1. Report filed by the Narcotics Control Bureau, be kept with the records.
2. Learned Senior Advocate for the NCB, in his usual fairness, does not dispute that intermediate quantity and not commercial quantity of narcotics was seized from the petitioner.
3. The petitioner is in custody for five months. Charge sheet has been filed upon completion of investigation.
4. On an overall assessment of the facts of the case and since the restrictions in Section 37 of the NDPS Act do not apply, we are inclined to allow the petitioner's prayer for bail.
5. Accordingly, we direct that the petitioner, namely **MOHAMMAD SK. @ SEKH** shall be released on bail upon furnishing a bond of Rs.25,000/-, with two

sureties of Rs.12,500/-each, one of whom must be local, to the satisfaction of the learned Judge, Special Court under the NDPS Act at Krishnagar, Nadia, and on further conditions that he shall not leave the jurisdiction of the Kotwali Police Station and shall report to the Inspector-in-Charge of the Kotwali Police Station once in a week until further orders.

6. The petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence and/or commit any cognizable offence in any manner whatsoever.
7. In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this Court.
8. The application for bail is, accordingly, allowed.
9. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)

