

23
03-03-2025
(ct. no.29)
S. De
(Allowed)

CRM (NDPS) 114 of 2025

In re: An application for bail under Section 439 of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with **Swarupnagar Police Station Case No. 15 of 2024** dated **14.01.2024** under **Section 379/411** of the Indian Penal Code & **Section 21(C)** of the Narcotic Drugs & Psychotropic Substances Act 1985.

- A n d -

In the matter of : Ripon Molla.

.... Petitioner.

Mr. Kallol Kr. Basu,
Md. Jannat Ul Firdous,

... For the Petitioner.

Mr. Subhasree Patel,
Mr. Debanshu Ghorai,

... For the State.

Order dictated by Arijit Banerjee, J.

1. Status report filed by the State be kept with the records.
2. From the report, we find there are 10 chargesheet named witnesses. Not a single witness has been examined till date. The petitioner is in custody for more than 1 year and 1 month.
3. From the report, we also find that the petitioner does not have criminal antecedents. The prosecution intends to examine all 10 witnesses. March 28 and 29, 2025, have been fixed as the next dates by the learned Trial Court.
4. We, therefore, see that trial has not yet begun in the sense that witness action has not begun. Charge was framed in September 20, 2024. Since then there has been zero progress in the trial.
5. Considering the period of detention of the petitioner and considering that he has no criminal antecedents, we are inclined to allow the petitioner's prayer for bail solely on the touchstone of Article 21 of the constitution of India.

6. Accordingly, we direct that the petitioner, namely, **Ripon Molla** 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), Barasat, North 24-Parganas subject to the condition that the petitioner shall remain within the jurisdiction of the concerned Police Station and shall meet the Inspector-in-Charge of the concerned Police Station, once in a fortnight until further orders.

7. 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 in any manner whatsoever.

8. 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.

9. The application for bail is, accordingly, allowed.

10. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Prasenjit Biswas, J.)

(Arijit Banerjee, J.)