

11.03.2025
Item no. 10.
Court No.29.
AB
(Allowed)

CRM (NDPS) 118 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 Madhyamgram Police Station Case No.689 of 2023 Dated 29.11.2023 under Section 21C of the NDPS Act

And

In the matter of : Najrul Islam @ Naju @ Nazrul

.....Petitioner.

Mr. Anshuman Chakraborty
Mr. S. S. Sahafor the Petitioner.

Mr. Madhusudan Sur, Id. APP
Ms. Debjani Sahufor the State.

Dictated by Arijit Banerjee, J.

1. After framing of charge on June 14, 2024, 8 dates were fixed by learned Trial Court. On 4 dates, the Presiding Officer was not available. On 3 dates, the witnesses were not present. Only on one day, the first prosecution witness has been examined in part, i.e. on March 4, 2025.
2. The petitioner is in custody for about one year and four months. There are 15 charge sheet named witnesses. At the pace the trial is progressing, it is anybody's guess when the trial will conclude.
3. Hence, without touching the merits of the case and solely on the touchstone of Article 21 of the Constitution

of India, we feel constrained to allow the petitioner's prayer for bail.

4. Accordingly, we direct that the petitioner, namely **NAJRUL ISLAM @ NAJU @ NAZRUL** 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 Barasat, North 24 Parganas, and on further conditions that he shall not enter the jurisdiction of Madhyamgram Police Station except for attending the court proceedings and shall provide the address where he shall presently reside to the Officer in Charge of the Madhyamgram Police Station and shall meet the Officer in Charge of the concerned police station within whose jurisdiction he shall presently reside once in a week until further orders.
5. 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.
6. 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.

7. The application for bail is, accordingly, allowed.
8. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Om Narayan Rai, J.)

(Arijit Banerjee, J.)