

23.
06-03-2025
(ct. no.29)
debajyoti
(allowed)

CRM (NDPS) 155 of 2025

In re: An application for bail under Section 439 of the Code of Criminal Procedure/483 of the Bhartiya Nagarik Suraksha Sanhita in connection with F. No.SI(VII)-227/2024(AIU) dated 17-11-2024 under Sections 20(b)/23(a) of the Narcotic Drugs and Psychotropic Substances Act.

- A n d -

In the matter of : Muhammad Shafin @ Muhammed Shafin
.... Petitioner.

Mr. Navanil De,
Mr. Shoumilya Mazumder
... For the Petitioner.

Ms. Manasi Mukherjee,
Mr. Bijitesh Mukherjee
... For Union of India (Customs).

Dictated by Arijit Banerjee, J.

1. The petitioner says that allegedly a little more than 4 kgs. of Ganja was seized from him who is the sole accused. Investigation is complete. Complaint has been filed. He is in custody for 111 days.

2. Learned advocate for the Customs Authorities, in her usual fairness, says that indeed, intermediate quantity of Ganja was seized from the petitioner. Complaint has been filed.

3. Since intermediate quantity of contraband item is involved, the restrictions in Section 37 of the NDPS Act would not apply.

4. On an overall consideration of the facts and circumstances of the case and considering that investigation

is complete, we are of the opinion that further custodial detention of the petitioner is not necessary.

5. Accordingly, we direct that the petitioner, namely, **Muhammad Shafin @ Muhammed Shafin**, shall be released on bail upon furnishing a bond of Rs.25,000/- (Rupees Twenty Five Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of learned Additional District and Sessions Judge, Special Judge, 8th Court, Barasat, North 24 Parganas. The petitioner shall appear before the trial Court on every date of hearing and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever and shall not commit any cognizable offence in any manner whatsoever. The petitioner shall remain within the jurisdiction of local police station except for the purpose of attending the court proceedings and shall appear before the Officer-in-Charge/Inspector-in-Charge of the said police station once in a fortnight, until further orders.

6. In the event the petitioner fails to comply with any of the conditions stipulated above, the trial Court shall be at liberty to cancel the bail in accordance with law without further reference to this Court.

7. The application for bail is, thus, **allowed**.

8. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

9. Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Prasenjit Biswas, J.)

(Arijit Banerjee, J.)