

CRM (NDPS) 213 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 **Ranitala Police Station Case No. 424 of 2024** dated **09.07.2024** under Sections **21(c)/29** of the Narcotic Drugs & Psychotropic Substances Act 1985.

- A n d -

In the matter of : Sinarul Sk @ Ankan Sk. Petitioner.

Mr. Soumyajit Das Mahapatra,
Mr. Golam Nure Imrohi, ... For the Petitioner.

Mr. Avishek Sinha,
Mr. Sachit Talukdar, ... For the State.

Order dictated by Arijit Banerjee, J.

1. The petitioner says that there was no recovery of narcotics from him. He has been implicated solely on the basis of the statements made by co-accused persons. Investigation is complete. Chargesheet has been filed. His further custodial detention is not necessary.

2. Opposing the bail prayer, learned State advocate, in his usual fairness, says that indeed there was no recovery from this petitioner. His implication is solely based on the statements made by the co-accused persons. To our query as to whether or not there are call details record or money trail linking this petitioner to the alleged crime, learned advocate says that there is no such material available.

3. In view of the aforesaid, we are of the opinion that the petitioner has been able to tide over the restriction in Section 37 of the N.D.P.S. Act. We are inclined to allow the prayer for bail of the petitioner.

4. Accordingly, we direct that the petitioner, namely, **Sinarul Sk @ Ankan Sk** 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), Berhampore, Murshidabad 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.

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 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.

(Prasenjit Biswas, J.)

(Arijit Banerjee, J.)