

26.03.2025
Item no. 31.
Court No.29.
AB
(Allowed)

CRM (NDPS) 273 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 N. Case No.36 of 2024 arising out of NSCBI Airport Kolkata by Indian Customs dated 25.11.2024 under Sections 8/20(b)/23(a) of the NDPS Act

And

In the matter of : Muhammed MuzammilPetitioner.

Mr. Samrat Choudhury,
Mr. S. Mukherjee,
Mr. Indranil Banerjeefor the Petitioner.

Mr. Kaushik Dey,
Mr. Tapan Bhanjafor the Customs Authority.

Dictated by Arijit Banerjee, J.

1. The petitioner says that approximately 5 kilograms of ganja was allegedly recovered from his possession. Investigation is complete. Not only charge sheet has been filed, charge has also been framed. He is in custody for 124 days. His further custodial detention is not necessary.
2. Learned Advocate for the Customs Authorities, in his usual fairness, says that charge has indeed been framed and intermediate quantity of contraband was seized from the petitioner.
3. In view of the aforesaid, the restriction in Section 37 of the NDPS Act would not apply.
4. Since investigation is complete and charge has been framed, we are of the view that further custodial detention of the petitioner is not necessary.

5. Accordingly, we direct that the petitioner, namely **MUHAMMED MUZAMMIL** 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 leave the jurisdiction of Barasat Police Station and shall report to the Officer-in-Charge/ Inspector-in-Charge of Barasat Police Station once in a fortnight 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.)

