

CRM (NDPS) 338 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 **F. No.S1(VII)-258/2024 (AIU)** dated **12.12.2024** under Section **20(b)/23** read with **Section 8** of the Narcotic Drugs & Psychotropic Substances Act 1985.

- A n d -

In the matter of : Mohamed Abdul Kather @ Mohamed Abdul Majeed @ Mohammad Abdul Majeed.

.... Petitioner.

Mr. Navanil De,
Mr. Srinjan Ghosh,

... For the Petitioner.

Order dictated by Arijit Banerjee, J.

1. From the endorsement made on the bail petition, we see that the office of Commissioner of Customs Airport and Air Cargo Complex, has been served. However, nobody appears for the respondent.
2. Allegedly 6.9 kgs. of Ganja was recovered from the petitioner. Investigation is complete. Complaint has been filed. The petitioner is in custody for 93 days.
3. Nobody appears to oppose this application for bail.
4. Intermediate quantity of contraband being involved, the restriction in Section 37 of the NDPS Act would not apply. Since the investigation is complete and complaint has been filed, we are of the view that further custodial detention of the petitioner is not necessary.
5. Accordingly, we direct that the petitioner, namely, **Mohamed Abdul Kather @ Mohamed Abdul Majeed @ Mohammad Abdul Majeed** 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.

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 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.)