

24.04.2025

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**C.R.M. (NDPS) 340 of 2025**

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with NDPS Case no. 89 of 2021 arising out of Watgunge Excise Circle Sl. No. 69/21-22 dated 30.11.2021 under Sections 8(c)/20(b)(ii)(C)/29 of the NDPS Act, 1985.

And

In the matter of : **Rejesh Kr. Mishra @ Rajesh Kumar Mishra**  
.... Petitioner

Mr. Navanil De

Mr. Srinjan Ghosh

...for the Petitioner

Mr. Anand Keshari

Ms. Diksha Ghosh

...for the State

It is submitted that 20 kgs. of Ganja plants were allegedly recovered from the joint possession of the petitioner.

It is further submitted that all other accused persons have been granted bail by this Court in CRM (NDPS) 248 of 2025 and CRM (NDPS) 250 of 2025 and also by the Supreme Court in Special Leave to Appeal (Criminal) no. 361 of 2025 dated 24.3.2025. The present petitioner is almost on the same footing and he is in custody for three years four months and as such, the petitioner may be released on bail.

Learned counsel for the State did not oppose the bail prayer and leaves the matter to the discretion of the court. He further submits that only one witness out of eleven witnesses has so far been examined.

Having considered the facts and circumstances of the case and that the present petitioner is almost on the same footing with other petitioners who have already been granted bail and that the only one witness out of eleven witnesses has

so far been examined and right to speedy trial of the petitioner as granted under Article 21 of the Constitution of India has not been taken care of though it overrides all other considerations and it appears to be uncertain and unpredictable when the trial would conclude, the prayer for bail of the petitioner is considered and allowed.

Accordingly, the petitioner namely, **Rejesh Kr. Mishra @ Rajesh Kumar Mishra** shall be released on bail upon furnishing a bond of Rs. 20,000/- with two registered sureties of Rs. 10000/- each, of which one must be local, subject to the satisfaction of the learned Chief Judicial Magistrate, Alipore, South 24 Parganas and also on condition that the accused person shall not mis-use the liberty granted by this Court and he shall not tamper with any evidence orally or documentary during the trial. He shall not leave the jurisdiction of trial court without taking leave from trial court. He shall not absent himself on any day during trial and shall not commit any offence while on bail. He shall give his mobile phone number to the local police station and shall not change it without prior permission of the trial court and he shall not in any manner try to delay the trial. Be it mentioned in case of violation of any of the conditions as above, the trial court will be at liberty to cancel the bail without making any further reference to this court.

Be it further mentioned, that anything said herein shall not be construed as an expression of opinion on the merit of the case.

Accordingly, CRM (NDPS) 340 of 2025 is disposed of.

Urgent Photostat certified copy of this order, duly applied for, be given to the parties upon compliance of all requisite formalities.

**(Dr. Ajoy Kumar Mukherjee, J.)**