

15.05.2025
Item no. 19
Ct. No. 29
BD.
(ALLOWED).

C.R.M. (NDPS) 396 of 2025

In Re:- An application for bail under section 483 of the BNSS, 2023 corresponding to Section 439 of the Code of Criminal Procedure, in connection with N 01/2025 arising out of Bagdah Police Station Case No. 1195/24 dated 28.12.2024 under sections 21 (C) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

In the matter of : ***Rahima Khatun Mondal***
alias Raima Khatun Mondal Petitioner.

Mr. Angshuman Chakraborty
Mr. S.S. Saha ...for the Petitioner.

Mrs. Rituparna Ghosh
Ms. Trisha Rakshit ...for the State

It is submitted by learned counsel on behalf the State that they have received report of the State Drugs Control & Research Laboratory dated 12.05.2025, which discloses that the samples marked as Ext. A-1 and Ext. B-1, which was sent for examination do not contain Methamphetamine and that is why they do not fall under the purview of NDPS Act, 1985.

Let the report be kept with the record.

Learned counsel appearing on behalf of the petitioner submits that since the seized article does not come within the ambit of Narcotic substance Act, accordingly she may be released on bail on any terms and conditions.

Having heard learned counsel appearing on behalf of both the parties and that the report discloses that the

seized article does not contain any narcotic substance under the Act, so the prayer for bail made by the petitioner is allowed.

Accordingly, the petitioner namely, ***Rahima Khatun Mondal alias Raima Khatun Mondal***, shall find bail of Rs. 20,000/- with two registered sureties of Rs. 10,000/- each, one of which must be local, subject to the satisfaction of learned Chief Judicial Magistrate, Barasat, and also on condition that the petitioner shall not leave the jurisdiction of the North 24 Parganas without the leave of the trial court till further order and shall meet the Investigating Officer Bagdah Police Station once in a fortnight in between sun set and sun rise until further orders of this court.

It is further ordered that the accused person shall not mis-use the liberty granted by this Court and she shall not tamper with any evidence orally or documentary during the trial. She shall not absent herself on any day during trial and shall not commit any offence while on bail. She shall give her cell phone number to the local police station and shall not change it without prior permission of the trial court and she shall not in any manner try to delay the trial. The petitioner shall not leave the jurisdiction of the trial court without taking leave from the Court below. In case of violation of any of the conditions the trial Court will be at liberty to

cancel the bail without making any further reference to this Court.

Be it mentioned, that anything said herein shall not be construed as an expression of opinion on the merits of the case by this Court.

This application for bail being CRM (NDPS) 396 of 2025 is, thus, allowed.

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.)