

22.05.2025
Item no. 51
Ct. No. 29
BD.
(ALLOWED).

C.R.M. (NDPS) 407 of 2025

In Re:- An application for bail under section 439 of the Code of Criminal Procedure, 1973/Section 483 of the BNSS, in connection with NDPS Case No. 98 of 2014 arising out of Raghunathganj Police Station Case No. 273 of 2014 dated 28/04/2014 under sections 21(C) of the NDPS Act, 1985.

In the matter of : **Kabir Sk.** Petitioner.

Mr. Jisan Iqbal Hossain ...for the Petitioner.

Mr. R.R.Chowdhury
Mr. R. Jana ...for the State

It is submitted on behalf of the petitioner that petitioner was earlier granted bail in the month of August, 2014 and since then he was regularly attending the Court. However, on one occasion i.e., on 21.09.2024 he could not attend the Court and for which warrant of arrest was issued against him. Immediate after getting information about issuance of such warrant of arrest he voluntarily surrendered before the court below on 06.02.2025 and since then he is in custody. Accordingly, he prays for bail on any terms and conditions with an undertaking that he will attend the Court below whenever he will be asked to appear.

Learned counsel appearing on behalf of the State leaves the prayer to the discretion of the Court.

Having heard learned counsel appearing on behalf of both the parties and that the petitioner voluntarily

surrendered before the court below after issuance of warrant of arrest and as such, he should get a chance to attend trial from his residence, his prayer for bail is considered and allowed.

Accordingly, the petitioner namely, **Kabir Sk.** 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, Berhampore, Murshidabad, and also on condition that the petitioner shall not leave the geographical limit of the district Murshidabad without the leave of the trial court till further order and shall report to the Officer-in-charge, Raghunathganj Police Station, Murshidabad, once in a week until further order.

It is further ordered 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 absent himself on any day during trial and shall not commit any offence while on bail. He shall give his cell phone numbers 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. 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) 407 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.)