

15.05.2025
Item no. 20
Ct. No. 29
BD.
(ALLOWED).

C.R.M. (NDPS) 422 of 2025

In Re:- An application for bail under section 483 of the BNSS, 2023/under Section 439 of the Code of Criminal Procedure, 1973, in connection with N Case No. 43 of 2025 arising out of Bongaon Police Station Case No. 82 of 2025 dated 30/01/2025 under section 21(b) of the NDPS Act.

In the matter of : **Shankar Mondal**
@ **Chhotu** Petitioner.

Mr. Santanu Maji
Mr. Debrani Mondal
Ms. Rima Banerjee ...for the Petitioner.

Mrs. Rituparna Ghosh
Ms. Rituparna Saha ...for the State

It is submitted by learned counsel on behalf the petitioner that 14.566 Kgs. of ganja allegedly recovered from the possession of the petitioner and that the petitioner is in custody for about 107 days and that investigation has already been advanced to a considerable extent and further detention of the present petitioner may not be required and as such he may be released on bail on any terms and conditions.

Learned counsel appearing on behalf of the State opposed the bail prayer contending that investigation is still continuing. However, in her usual fairness she submits that contraband substance allegedly recovered from the possession of the petitioner is below the commercial quantity.

Having heard learned counsel appearing on behalf of both the parties and that rigour of section 37 of the NDPS Act, may not attract in respect of the present petitioner and that investigation has already been advanced to a considerable extent, the prayer for bail made by the petitioner is considered and allowed.

Accordingly, the petitioner namely, **Shankar Mondal @ Chhotu**, 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 geographic limit of the district of North 24 Parganas without the leave of the trial court till further order and shall report to the Investigating Officer Bongaon Police Station once in a week 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 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 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. 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) 422 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.)