

23.05.2025

akb

Sl. 52

Ct.29

Allowed

CRM (NDPS) No. 467 of 2025

In re: An application for bail under Section 439 of the Criminal Procedure Code as amended/under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with the NDPS Case No. 56/2024, arising out of Ranitala Police Station Case No. 424/2024 dated 09.07.2024 under Section 21(c)/29 of the N.D.P.S. Act, 1985.

And

**In re: Hamrul Sk @ Hamedul Islam @ Hamrul Islam
... petitioner.**

Mr. Tapodip Gupta

...for the petitioner

Mr. Saibal Bapuli

Mr. Rahul Ganguli

...for the State.

Learned Counsel appearing on behalf of the petitioner submits that no recovery of Narcotic substance was made from the present petitioner and he has been implicated solely on the statement made by the co-accused. He further submits that co-accused Sinarul Sk @ Ankan Sk. has already obtained bail in CRM (NDPS) 213 of 2025 and he is almost on the same footing and he is in custody for about 4 months and as such he may be released on bail on any terms and conditions.

Learned Counsel appearing on behalf of the State in his usual fairness submits that the present petitioner is almost on the same footing with that of the petitioner in C.R.M. (NDPS) 213 of 2025 and he leaves the prayer for bail to the discretion of the Court.

Having considered the submissions made on behalf of both the parties and that no recovery was made from the present petitioner and

that he has been arrested on the basis of the co-accused statement and investigation has already been ended in charge sheet, I find that further custodial detention of the present petitioner may not be required and rigour of Section 37 of the NDPS Act may not attract in respect of the present petitioner.

In such view of the matter, petitioner namely, **Hamrul Sk @ Hamedul Islam @ Hamrul Islam** shall be enlarged on bail upon furnishing a bond of Rs. 20,000/- with two registered sureties of Rs. 10,000/- each, one of whom must be local, subject to the satisfaction of learned Chief Judicial Magistrate, Berhampore, Murshidabad and on condition that he will not leave the geographical limit of district Murshidabad without taking permission from the Trial Court and also on condition that he will meet Officer-in-Charge, Ranitala Police Station once in a week till further order and also on condition that the accused 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 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. The Court below will be at liberty to cancel the bail in the event of violation of any of the conditions without making any further reference to this Court.

Be it mentioned, that anything said herein shall be construed as an expression of opinion on the merits of the case.

The application for bail being **CRM (NDPS) 467 of 2025** is,

accordingly allowed and disposed of.

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

(Dr. Ajoy Kumar Mukherjee, J.)