

25.06.2025
Item no. 15.
Ct. No. 29
BD.
(ALLOWED)

C.R.M. (NDPS) 469 of 2025

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure, 1973 corresponding to section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Special Case No. 57 of 2020 arising out of Gangarampur Police Station Case No. 291 of 2020 dated 22/08/2020 under sections 21(c)/22(c)/23(c)/27A/28/ 29 of the NDPS Act, 1985.

In the matter of : **Ranjit Singha** Petitioner.

Mr. Aniruddha Bhattacharya
Ms. Anuska Bose
Ms. Rai Das ...for the Petitioner.

Mr. Subhashree Patel
Mr. Dipankar Pramanick ... for the State.

Report submitted by the S.I of Police Gangarampur Police Station, Dakshin Dinajpur dated 09.06.2025 is taken on record.

It is submitted on behalf of the petitioner that 150 bottles of phensedyl containing codeine phosphate was allegedly recovered from the joint possession of the three accused persons and out three two are on court bail. He further submits that the present petitioner is in custody for about four years ten months and the charge was framed in the month of January 2023, but till date, prosecution could only examine five witnesses, out of sixteen witnesses. He further submits since 21.09.2023 no witness could be examined by the prosecution. The I.O. who is the PW-14 did not appear as witness and as such bailable warrant was issued against him. The Trial

Court by order dated 25.05.2025 recorded if on the next day witness does not turn up, he will close the evidence but even then on the next date i.e., on 04.06.2025 the prosecution failed to bring the witness and as such nobody knows when the trial would be concluded and therefore he may be released on bail on any terms and conditions.

Learned counsel appearing on behalf of the State submits that within a short span of time, evidence of the prosecution will be concluded and as such he opposed the bail prayer made by the petitioner.

Having considered the submissions made on behalf of the parties and that the petitioner does not have any criminal antecedent, the prayer for bail made by the petitioner is allowed only on the touchstone of Article 21 of the Constitution of India.

Accordingly, the petitioner namely, **Ranjit Singha**, 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, Balurghat, Dakshin Dinajpur, and also on condition that the petitioner shall not leave the geographical limit of the district Dakshin Dinajpur, without the leave of the trial court, and shall report to the I/C, Gangarampur, Police Station 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 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) 469 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.)