

23.05.2025

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Allowed

C.R.M. (NDPS) 478 of 2025

In Re:- An application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with NDPS case no. 32 of 2022 arising out of Special Task Force Police Station case no. 25 of 2022 dated 23.8.2022 under Sections 22(c)/23(c)/29 of the NDPS Act, 1985.

And

In the matter of : **Md. Junaid @ Baba**

.... Petitioner

Mr. Ayan Bhattacharya, Sr. Adv.

Mr. Apalak Basu

Mr. Nazir Ahmed

Mr. Soumyajit Chakraborty

...for the Petitioner

Mr. Sandip Chakraborty

Ms. Diksha Ghosh

...for the State

Report submitted by the SI, STF, Kolkata dated 23.5.2025, is taken on record.

It is submitted on behalf of the petitioner that the petitioner is in custody for about two years and nine months and the report shows that the prosecution is planning to produce eight more charge-sheeted witnesses to establish the charge against the accused persons. He further submits that it will take long time to conclude the trial and as such, he may be granted bail on any terms and conditions.

Learned counsel for the State opposed the prayer for bail but in her usual fairness, she submits that the petitioner is in custody for about two years and nine months and as such, a direction may be given to the court below for expeditious disposal of the case and to conclude the entire proceeding within the time frame.

Having considered the submissions made on behalf of both the parties and that the prosecution still wants to examine eight more witnesses and nobody knows when the trial would be concluded, the prayer for bail made on behalf of the petitioner is allowed solely on the touchstone of the Article 21 of the Constitution of India.

Accordingly, the petitioner namely, **Md. Junaid @ Baba** shall be released on bail upon furnishing a bond of Rs. 20,000/- with two registered sureties of Rs. 10000/- each, of which one must be local, subject to the satisfaction of the learned Chief Judicial Magistrate, Kolkata and also on condition 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 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 petitioner shall not leave the jurisdiction of Kolkata Municipal Corporation area at Kolkata without taking leave from the court below and shall report to the Officer-in-charge, STF police station twice in a week until further order. The court below will be at liberty to cancel the bail in the event of violation of any of the conditions without making any reference to this court.

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

Accordingly, CRM (NDPS) 478 of 2025 is disposed of.

The trial court is directed to expedite the trial and to make his best endeavour to conclude the trial preferably within a period of six months from the date of communication of the order.

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.)