

06.05.2025  
Item no. 15  
Ct. No. 29  
BD.  
(ALLOWED).

**C.R.M. (NDPS) 508 of 2025**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure, 1973 corresponding to section 483 of the BNSS, 2023 in connection with NDPS Case No. 27 of 2022 being Maidan P.S. Case No. 59 of 2022 dated 29.06.2022 under sections 20(b)(ii)(c)/29 of NDPS Act.

In the matter of : ***Bharat Roy*** .... Petitioner.

Mr. Raja Mukherjee ...for the Petitioner.

Ms. Sreyashee Biswas  
Ms. Puspita Saha ...for the State

It is submitted on behalf the petitioner that the petitioner is the owner of the vehicle and he was arrested on the basis of co-accused statement and 4.1 Kgs. of ganja was recovered from his possession. He is in custody since 12<sup>th</sup> November, 2022. He further submits that out of eight witnesses prosecution has so far examined only two witnesses and nobody can say when the trial would be concluded. He further submits that other co-accused person namely, Md. Zayid Hussain @ Zahid Hussain was granted bail by this Court on the touchstone of Article 21 of the Constitution of India without touching the merits of the case and accordingly petitioner submits that he may be granted bail on any terms and conditions.

Learned counsel appearing on behalf of the State opposed the prayer for bail and contended that the trial would be concluded shortly.

Having heard the learned counsel appearing on behalf of the petitioner and the State that the petitioner is in custody for about two and a half years and as such without touching the merit of the case and solely on the touchstone of Article 21 of the Constitution of India, I find that the present petitioner is almost on the same footing with that of the petitioner of CRM (NDPS) 272 of 2025 and as such prayer for bail is considered and allowed.

Accordingly, the petitioner namely, **Bharat Roy**, 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, Bankshall 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) 508 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.)**