

54. 25.06.2025
Court
No.29. (Pritam)
(Allowed)

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (NDPS) 502 of 2025

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 / Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, arising out of **NCB Crime No.09/NCB/KOL/2023** under Sections **20(b)(ii)(C)/28/29** of the Narcotic Psychotropic Substance Act, 1985.

And

In the matter of: - **Pratima Devi.**

.....petitioner.

Mr. Santanu Talukdar,
Mr. Subhadeep Ghosh.

...for the petitioner.

Ms. Manju Agarwal,
Mr. Sagar Saha.

....for the UoI.

Report submitted by the NCB be kept with the records.

It is submitted on behalf of the petitioner that 23 kg. of *ganja* was allegedly recovered from the joint possession of the petitioner and the petitioner is in custody for about 2 years and 5 months. He further submits that the prosecution proposes to examine 8 witnesses out of which they could examine only 1 witness and since October 17, 2024, the court is lying vacant.

In such view of the matter, the delay in trial cannot be attributable to the present petitioner and he may be released on any terms and conditions.

Learned advocate appearing for the NCB opposed the prayer for bail, contending that delay in trial caused as the court was lying vacant but the Officer has recently joined and the summonses to the witnesses have been issued and hopefully the trial will be concluded within a short span of time.

Having heard learned counsel appearing on behalf of the petitioner and the State and considering the period of detention and that the delay in trial is not attributable to the petitioner and that out of 8 witnesses only 1 witness could be examined so far and nobody knows when the trial would be concluded and as such only on the touchstone of Article 21 of the Constitution of India, the prayer for bail is allowed.

Accordingly, the petitioner namely, **Pratima Devi**, shall be released on bail upon furnishing a bond of Rs.20,000/- with two registered sureties of Rs.10,000/- each, of which one must be local, subject to the satisfaction of the learned Chief Judicial Magistrate, Howrah, and also on condition that the accused person shall not misuse the liberty granted by the 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 to the local police station and shall not change it without prior permission of the NCB and he shall not in any manner try to delay the trial. The petitioner shall not leave the geographic limit of district of Howrah without taking leave from NCB and shall report to the Investigating Officer, NCB once in a

week or until further order. The NCB 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) 502 of 2025 is disposed of.

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

(Dr. Ajoy Kumar Mukherjee, J.)