

23.05.2025

Sl. no. 88

Ct. No. 29

P.M.

(Allowed)

C.R.M. (NDPS) 525 OF 2025

In Re : An application for bail under Section 439 of the Code of Criminal Procedure, 1973 corresponding to Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 in connection with Sankrail Police Station Case No. 292/2023 dated 23.04.2023 corresponding to T.R. Case No. 11 of 2023 under Sections 20(b) (ii)(c) of the NDPS Act.

And

In the matter of : **Sanjit Mondal.**

.... Petitioner

Sk. Toslim Ali,
Ms. Rituparna Bhadra

.... For the petitioner

Mr. Subhamoy Bhattacharya,
Ms. Diksha Ghosh

... for the State

Report submitted by the State is taken on record.

Learned counsel appearing on behalf of the petitioner Mr. Ali submits that 104 Kg of ganja was allegedly recovered from three accused persons who are in custody.

Petitioner further submits that the petitioner is in custody for about 2 years and 2 months and charge has been framed on 18th January, 2024 but out of 16 witnesses prosecution could examine only one witness and nobody knows when the trial would be concluded.

He further submits that the delay is not attributable to the petitioner and as such he may be enlarged on bail on any terms and conditions.

Learned counsel appearing on behalf of the State opposed the bail prayer. However, in his usual fairness he submits that the prosecution proposes to examine 16 witnesses but only one witness could be examined so far.

Having considered the submissions made on behalf of both the parties and considering the fact that 15 more witnesses are required to be examined by the prosecution and nobody knows when the trial would be concluded, the prayer for bail made by the petitioner is allowed only on the touchstone of Article 21 of the Constitution of India.

The petitioner namely **Sanjit Mondal** 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, to the satisfaction of the learned Chief Judicial Magistrate, Howrah 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 numbers 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. Petitioner shall not leave the geographic limit of Howrah District without leave of the trial Court and also on condition that they will report to the Sankrail P.S. once in a week till 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) 525 of 2025 stands disposed of.

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

(Dr. Ajoy Kumar Mukherjee, J.)