

02.07.2025.
p.b.
SL. No.47.
Ct. No.29.

CRM (NDPS) 540 of 2025

In Re:- An application for Bail under Section 439 of the Criminal Procedure Code as amended/under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with NDPS Case No.10 of 2025 arising out of Sealdah GRPS Case No.11 of 2025 dated 31.01.2025. under Sections 20(b)(ii)(C)/29 of the NDPS Act, 1985.

And

In the matter: **Sagir Hossain.**
.....Petitioner.

Mr. Angshuman Chakraborty,
Mr. S. S. Saha.
.....for the Petitioner.

Mr. Rudradipta Nandy,
Mr. Parvej Anam.
.....for the State.

It is submitted on behalf of the petitioner that 20 Kgs. 800 Grms. Of Ganja was allegedly recovered from the other accused persons, but, nothing was recovered from the other possession of the petitioner. Petitioner was arrested on 1st February, 2025. He further submits that though the prosecution has referred about CDR, but no transcription could be submitted by the prosecution from the alleged CDR. Investigation has already been culminated into a charge-sheet and as such, further detention of the

present petitioner will not yield any fruitful result and as such he may be released on bail on any terms and conditions.

Mr. Nandy, learned advocate for the State while opposed the bail prayer, in his usual fairness submits that nothing was recovered from the possession of the petitioner during investigation though his name transpired from the co-accused statement.

Having heard the learned advocate for the petitioner and the State and that the investigation has already been culminated into a charge-sheet and the CDR upon which the prosecution relies does not contain any transcription and in absence of which the suspicion raised in respect of the present petitioner may not amount to grave suspicion to attract the rigour of Section 37 of the NDPS Act, the prayer for bail is allowed.

Accordingly, the petitioner namely, **Sagir Hossain** 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, South 24 Parganas 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 geographical limit of South 24 Parganas without taking leave from the court below and shall meet the Investigating Officer/Officer-in-charge, Sealdah GRPS once 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) 540 of 2025 is disposed of.

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.)