

08.07.2025
SL No.53
Court No.29
S.Gayen

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION
APPELLATE SIDE**

C.R.M.(NDPS) 567 of 2025

In Re: An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with NDPS Case No. 107/2024 arising out Sagarpara Police Station case No. 412/2024 dated 11.10.2024 under Sections 21(c)/29 of the NDPS Act, 1985.

-And-

In the matter of: Afirul Sk @ Khalek

...Petitioner

Mr. Tapodip Gupta
Mr. Sumon Bhanja

...for the Petitioner

Ms. Anasuya Sinha, Ld. APP
Ms. Afreen Begum

...for the State

It is submitted on behalf of the petitioner that nothing was recovered from the possession of the petitioner and he was arrested on 12th April, 2025 on the basis of co-accused person's statement. He further submits that the chargesheet has already been submitted and further detention of the present petitioner may not be required and as such he may be released on bail on any terms and conditions.

Learned Counsel appearing on behalf of the State opposed the bail prayer but candidly submits that during investigation nothing was recovered from the possession of the petitioner and there is no allegation of money trailing and no CDR was also detected during investigation. However, he has been implicated

one more case under the NDPS Act and another under the Arms Act.

In reply, learned counsel appearing on behalf of the petitioner submits that in both the said cases the petitioner is on bail and in both the cases again nothing was recovered from the possession of the petitioner.

Having heard the learned counsel appearing on behalf of the petitioner as well as State and considering the materials placed before me, I find the rigour of Section 37 of the NDPS Act may not attract in respect of the present petitioner.

Therefore, the prayer for bail is considered and **allowed**.

Accordingly, the petitioner namely, **Afirul Sk @ Khalek** shall be released on bail upon furnishing a bond of Rs.20,000/- with two registered sureties of Rs.10,000/-, of which one must be local, subject to the satisfaction of the learned Chief Judicial Magistrate, Berhampore, Murshidabad and also on condition that the petitioner shall not leave the geographic limit of district Murshidabd without the leave of the Trial Court and also on condition that the petitioner will meet the O.C of Sagarpara Police Station 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, C.R.M. (NDPS) 567 of 2025 stands disposed of.

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

(Dr. Ajoy Kumar Mukherjee, J.)