

03.07.2025

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Allowed

C.R.M. (NDPS) 592 of 2025

In Re:- An application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with NDPS case no. 76 of 2025 arising out of Nabadwip Police Station case no. 76 of 2025 dated 03.02.2025 under Sections 20(b)(ii)(c)/29 of the NDPS Act, 1985.

And

In the matter of : **Gobinda Das**

.... Petitioner

Ms. Karabi Roy

...for the Petitioner

Mr. Subhomoy Bhattacharya

Ms. Sudeshna Das

...for the State

The petitioner submits that the petitioner is in custody for about 147 days and prosecution case is that 52 kg. 100 gm. Ganja was allegedly recovered from a vehicle wherefrom they apprehended five accused persons. The name of the present petitioner transpires from the co-accused statement and nothing was recovered from his possession during investigation following his statement. He further submits that he has been falsely implicated and as such, he may be released on bail on any terms and conditions.

Learned counsel appearing for the State submits that four criminal antecedents have been detected against the petitioner. Out of which three relates to offence under the Arms Act and one under the NDPS Act. However, he fairly submits that the petitioner was arrested on the basis of co-

accused statement and nothing was recovered from his possession. He also submits that no CDR or money trailing allegation was made during investigation.

Having heard learned counsel appearing for the petitioner and the State and that the materials placed before me suggests that rigour of Section 37 of NDPS Act may not attract in the present case in respect of the present petitioner and that investigation has already been culminated into a charge sheet and for which no fruitful purpose would be served recovered by detaining him in custody any further since trial has not yet been started and the prosecution proposes to examine about ten witnesses and considering all these the prayer for bail is **allowed**.

Accordingly, the petitioner namely, **Gobinda Das** 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, Krishnagar, Nadia 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 District of Nadia without taking leave from the court below and shall meet the Investigating Officer,

Nabadwip Police Station 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, **C.R.M. (NDPS) 592 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.)