

24.06.2025
Item no. 21
Ct. No. 29
BD.
(ALLOWED)

C.R.M. (NDPS) 608 of 2025

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure, 1973/under section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Asansol South Police Station Case No. 93 of 2025 dated 07/03/2025 under sections 20(b)(ii)(B)/25/29 of the NDPS Act, 1985.

In the matter of : **Anil Kumar Singh** Petitioner.

Mr. Ayan Basu
Mr. Sumit Routh ...for the Petitioner.

Mrs. Amita Gour
Mr. Samarjit Baliaal ... for the State.

Report submitted by the Sub-Inspector of Police Asansol South Police Station dated 21.05.2025 is taken on record.

It is submitted on behalf of the petitioner that 10.349 Kgs. of intermittent quantity of Ganja was allegedly recovered from the joint possession of the petitioner and the petitioner was arrested on 7th March, 2025 and since then he is in custody. He further submits that the charge-sheet has already been submitted on 30th April, 2025 and the charge could not be framed as yet as the investigating agency has submitted charge sheet without obtaining forensic report.

Learned counsel appearing on behalf of the State opposed the bail prayer. However, in his usual fairness he submits that it is not disputed that the intermittent quantity of narcotic substance is involved in the present

case. He further submits that the petitioner has one criminal antecedent though in connection with that case he is on bail.

Having considered the submissions made on behalf of the parties and that investigating agency has not yet been received any forensic report and for which nobody knows when the trial would be concluded and that rigour of section 37 of the NDPS Act, does not attract in the present case in respect of the present petitioner, the prayer for bail is allowed.

Accordingly, the petitioner namely, **Anil Kumar Singh**, shall find bail of Rs. 20,000/- with two registered sureties of Rs. 10,000/- each, one of which must be local, subject to the satisfaction of learned Chief Judicial Magistrate, Paschim Bardhaman, and also on condition that the petitioner shall not leave the geographical limit of the district Paschim Bardhaman, without the leave of the trial court, and shall report to the O/C or I/C, Asansol (South), Police Station once in a week until further order.

It is further ordered 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 cell 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 jurisdiction of the trial court without taking leave from the Court below. In case of violation of any of the conditions the trial Court will be at liberty to cancel the bail without making any further reference to this Court.

Be it mentioned, that anything said herein shall not be construed as an expression of opinion on the merits of the case by this Court.

This application for bail being CRM (NDPS) 608 of 2025 is, thus, allowed.

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.)