

09.07.2025

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Allowed

C.R.M. (NDPS) 687 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. 08 of 2023 arising out of Maidan Police Station case no. 20 of 2023 dated 2.3.2023 under Sections 20(b)(ii)(c)/29 of the NDPS Act, 1985.

And

In the matter of : **Sukchand Sk.**

.... Petitioner

Sk. Toslim Ali

...for the Petitioner

Ms. Baishali Basu

Mr. Sobhan Gani

...for the State

Petitioner submits the 21.325 kgs. of ganja were allegedly recovered from the exclusive possession of the present petitioner and he is in custody for about two years and four months i.e. since 2.3.2023. He further submits that the prosecution proposes to examine eight witnesses out of which they could examine so far only two witnesses and nobody knows when the trial would be concluded and as such, he prays for bail on any terms and conditions.

Learned counsel for the State opposes the bail prayer contending that the commercial quantity of narcotic substance was recovered from the exclusive possession of the petitioner and if he is released on bail, there is serious chance of his abscondance.

Having considered the submissions made on behalf of both the parties and that the petitioner is in custody for about

two years and four months and the prosecution is still proposes to examine four more witnesses and as such it is still uncertain when 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.

Accordingly, the petitioner namely, **Sukchand Sk.** 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, Calcutta 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 Calcutta jurisdiction without taking leave from the court below and shall meet the Officer-in-charge, Maidan 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, CRM (NDPS) 687 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.)