

24.06.2025
Item no. 23
Ct. No. 29
BD.
(ALLOWED)

C.R.M. (NDPS) 730 of 2025

In Re:- An application for bail under section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with NDPS Case No. 120 of 2024 arising out of Berhampore Police Station Case No. 1917 of 2024 dated 26/11/2024 under sections 20(b)(ii)(c)/29 of the NDPS Act, 1985.

In the matter of : **Jillar Sk.** Petitioner.

Mr. Soumya Basu Roy Chowdhury
Mr. Anisur Rahaman ...for the Petitioner.

Mr. Antariksha Basu
Mr. Subhajit Chowdhury ... for the State.

The petitioner submits that he was arrested on the basis of co-accused statement and 24.680 Kgs. of Ganja was allegedly recovered from the possession of the four accused persons who are in custody. He further submits that other co-accused persons namely, Arif Mafuj and Sorip Mafuj @ Sarif Mafuj were granted bail by this Court vide order dated 21st May, 2025. He further submits that the present petitioner is almost on the same footing with that of the other co-accused persons who have been granted bail by this Court and that he may be released on bail on any terms and conditions.

Learned counsel appearing on behalf of the State opposed the bail prayer but in his usual fairness he submits that the present petitioner was arrested on co-accused statement and he is also on the same footing with that of the other co-accused namely, Arif Mafuj and

Sorip Mafuj @ Sarif Mafuj, who have been granted bail by this Court.

Having considered the submissions made on behalf of the parties and the facts and circumstances of the case and that rigour of section 37 of the NDPS Act, may not attract in the present case in respect of the present petitioner and that he is almost on the same footing with that of the other co-accused persons namely, Arif Mafuj and Sorip Mafuj @ Sarif Mafuj, the prayer for bail is allowed.

Accordingly, the petitioner namely, **Jillar Sk.**, 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, Murshidabad, and also on condition that the petitioner shall not leave the geographical limit of the district Murshidabad, without the leave of the trial court, and also on condition that he shall report to the Inspector-in-charge, Berhampore, Police Station, Murshidabad, once in a fortnight 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) 730 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.)