

25.07.2025
Item no.22
Ct. No. 29
BD.

C.R.M. (NDPS) 808 of 2025

In Re:- An application for bail under section 439 of the Code of Criminal Procedure 1973, or under section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with N Case No. 05 of 2025 arising out of New Barrackpore Police Station Case No. 48 of 2025 dated 22/02/2025 under sections 20(b)(ii)(c)/29 of the NDPS Act, 1985.

In the matter of : **Anupam Das.**

.... Petitioner.

Mr. Sachit Talukdar
Mr. Tirtharaj Ghoshal
Mr. Tushar Mridha ...for the Petitioner.

Ms. Rituparna De Ghose
Ms. Ratna Ghosh ...for the State.

Petitioner's contention is that 22.280 gms. of ganja was recovered from three accused persons who are in custody. The petitioner's name transpired later on during investigation from co-accused statement. However, nothing was recovered from the possession of the petitioner and that the petitioner is in custody for about 148 days 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 contending that investigation is still continuing and the present petitioner is stated to be a prospective buyer of the seized contraband. However, in her usual fairness she submits that nothing was recovered from the possession of the present petitioner

during investigation and the petitioner appears to have no criminal antecedents.

Having considered the submission made on behalf of the petitioners and the State and that the investigation in respect of the present petitioner has advanced to a considerable extent and that rigour of Section 37 of NDPS Act may not attract in respect of the present petitioner in absence of any recovery from him, his prayer for bail is allowed.

Accordingly, the petitioner namely, **Anupam Das** 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, Barrackpore, North 24 Parganas and also on condition that the petitioner shall not leave the geographical limit of District- North 24 Parganas, without the leave of the trial court, and shall report to the Inspector-in-Charge Barrackpore Police Station, District – North 24 Parganas, 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.

Accordingly, C.R.M. (NDPS) 808 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.)