

CRM (NDPS) 822 of 2025

An application for bail under Section 439 of the Code of Criminal Procedure, 1973 read with Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Kamarhati Police Station Case No. 61/2022 dated 28.05.2022 under Sections 21(c)/29 of the NDPS Act, 1985.

Md. Imran @ Tohid
Vs.
The State of West Bengal

Mr. Debasis Kar
Ms. Suhana Parveen
.....For the Petitioner
Ms. Sreyashee Biswas
Ms. Pallavi Priyadarshee
....For the State

It is submitted on behalf of the petitioner that 2 litres of codeine mixture was recovered from the possession of three accused persons including the present petitioner. He further submits that the petitioner is in custody for about three years four months and the prosecution proposes to examine 12 witnesses out of which they could examine so far only three witnesses and it would take much more time to conclude the trial 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. He submits that prosecution proposes to examine only 8 witnesses out of which examination of three witnesses have already been

completed.

Having heard the learned counsel appearing on behalf of the petitioner and the State and considering the period of incarceration suffered by the petitioner and that there is hardly any chance of early conclusion of trial, the prayer for bail is allowed only on the touchstone of Article 21 of the Constitution of India.

Accordingly, the petitioner namely, **Md. Imran @ Tohid** 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 Additional Chief Judicial Magistrate, Barrackpore, 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 Officer-in-charge/Inspector in Charge, Kamarhati 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 him 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 jurisdiction of trial court without taking leave from the court below. 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 by this Court.

Accordingly, CRM (NDPS) 822 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.)