

16.09.2025
Item no.233
Ct. No. 29
(ALLOWED)

C.R.M. (NDPS) 833 of 2025

In Re:- An application for bail under section 439 of the Code of Criminal Procedure, 1973, read with Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with NDPS Case No. 37 of 2023 arising out of Islampur Police Station Case No. 860 of 2023 dated 21/11/2023 under sections 21(c)/23(c) of the NDPS Act, 1985.

BD. In the matter of : **Md. Tanbir Ansari** Petitioner.

Mr.Niladri Sekhar Ghosh

Ms. Laboni Sikdar

Mr. Souvik Dey ... for the petitioner.

Mr. Ratul Ghosh ... for the State.

Petitioner submits that this is renewal of his bail application and his earlier bail application was rejected on 24.04.2024 in CRM (NDPS) 297 of 2025 on 24th April, 2025 on the ground that local witness namely Subhan Ansari was not examined till that date. Petitioner submits that thereafter said Subhan Ansari was examined on 3rd June, 2025 when he turned hostile. His further contention is that other independent seizure witnesses namely PW 4 and PW 5 and other independent witnesses upon whom the prosecution relied namely PW 6 and PW 8 they have turned hostile. He further submits that only the investigating officers are required to be examined and considering the period of detention he may be released on bail on any terms and conditions.

Learned counsel appearing on behalf of the State opposed the bail prayer and contended that commercial

quantity of narcotic substance was recovered from the exclusive possession of the petitioner and that prosecution proposes to examine 15 witnesses out of which they have already examined 12 witnesses.

Having considered the facts and circumstances of the case and that the prosecution has more or less completed examination of all the independent witnesses, further detention of the present petitioner may not be required in the interest of trial, and as such the prayer for bail made by the petitioner is allowed.

Accordingly, the petitioner namely **Md. Tanbir Ansari**, 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, Uttar Dinajpur, and also on condition that the petitioner shall not leave the geographical limit of District- Uttar Dinajpur, without the leave of the trial court, and shall report to the Inspector-in-charge/Officer-in-Charge, Goalpokhor Police Station, District- Uttar Dinajpur, 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) 833 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.)