

26.9.2025
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Allowed

C.R.M. (NDPS) 842 of 2025

In Re:- An application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection NDPS case no. 1 of 2025 arising out of Patiram Police Station case no. 3 of 2025 dated 1.1.2025 under Sections 21(c)/22(c)/23(c)/27A of the NDPS Act, 1985.

And

In the matter of : **Bikram Pahan & Anr.**

.... Petitioners

With

C.R.M. (NDPS) 854 of 2025

In Re:- An application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection NDPS case no. 1 of 2025 arising out of Patiram Police Station case no. 3 of 2025 dated 1.1.2025 under Sections 21(c)/22(c)/23(c)/27A of the NDPS Act, 1985.

In the matter of : **Amit Pal @ Paul & Anr.**

.... Petitioners

Mr. Ayan Bhattacharjee
Mr. Kaushik Chowdhury

...for the Petitioner

Ms. Rituparna De Ghose
Ms. Trisha Rakshit

...for the State
In C.R.M. (NDPS) 842 of 2025

Ms. Rituparna De Ghose
Mr. Ratul Ghosh

...for the State
In C.R.M. (NDPS) 854 of 2025

Learned counsel for the petitioners submits that the petitioners are in custody over eight months and nothing was recovered from the possession of the petitioners and they were arrested on the basis of the co-accused statement which has got evidentiary value. Accordingly, the petitioners have prayed for bail on any terms and conditions.

Learned counsel for the State opposed the bail prayer. However, in their usual fairness, they submit that the name of the petitioners transpired from the co-accused statement and in spite of taking them in police custody, nothing was recovered from their possession.

Having considered the submissions made on behalf of both the parties and due to no recovery of contraband from the possession of the present petitioners, the restrictions imposed under Section 37 of the NDPS act may not attract in respect of the present petitioners and as such, the prayer for bail made by the petitioners are allowed.

Accordingly, the petitioners namely, **Bikram Pahan and Sanatan Pahan** in **CRM (NDPS) 842 of 2025** and **Amit Pal @ Paul and Shuli Bibi @ Sheiuly** in **CRM (NDPS) 854 of 2025** shall be released on bail upon furnishing a bond of Rs. 20,000/- each with two registered sureties of Rs. 10000/- each, of which one must be local, subject to the satisfaction of the learned Chief Judicial Magistrate, Dakshin Dinajpur at Balurghat and also on condition that the accused persons shall not mis-use the liberty granted by this Court and they shall not tamper with any evidence orally or documentary during the trial. They shall not absent themselves on any day during trial and shall not commit any offence while on bail. They shall give their mobile phone number to the local police station and shall not change it without prior permission of the trial court and they shall not in any manner try to delay the trial. The petitioners shall not leave the geographical limit of

district of Dakshin Dinajpur without taking leave from the court below and shall report to the O.C./I.C., Patiram 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) 842 of 2025 with CRM (NDPS) 854 of 2025 are 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.)