

26.08.2025

akb
Sl. 23
Ct.29
Allowed

CRM (NDPS) No. 907 of 2025

In re: An application for bail under Section 483 of the BNSS Act, 2023 filed in connection with PTN Case No. 184 of 2025 arising out of Kaliachak Police Station Case No. 354 of 2025 dated 05.03.2025 under Section 21(c)/27A/29 of the N.D.P.S. Act, 1985.

And

In re: Karim Khan @ Lara

... petitioner.

Md. Wasim Akram
Ms. Sabrina Parveen

...for the petitioner

Mr. Antarikshya Basu
Ms. Debadrita Mondal

...for the State.

It is submitted on behalf of the petitioner that the petitioner's name transpired from one of the co-accused Sakil Haidar Sk @ Sakil Haider @ Hayder Sk. Sakil Haidar Sk @ Sakil Haider @ Hayder Sk. has already obtained bail from this Court on 13th August, 2025. He further submits that he is on a better footing and he is in custody for about 76 days. He further submits that he was shown arrested while he was in custody in connection with Kaliachak Police Station Case No. 905 of 2025 under sections 309/402 of the Indian Penal Code and he is in court bail in connection with said proceeding.

Mr. Basu, learned Counsel appearing on behalf of the State opposed the bail prayer but in his usual fairness he submits that nothing was recovered from the possession of the petitioner and he is almost on the same footing with that of co-accused Sakil Haidar Sk @ Sakil Haider @ Hayder Sk. He further submits that the investigation is still pending.

Having heard learned Counsel appearing on behalf of the petitioner and the State and that in spite of ten days in police custody

nothing was recovered from the possession of the petitioner and as such restrictions imposed under Section 37 of the NDPS Act may not attract in respect of the present petitioner and that he is in custody since 28.05.2025 for which investigation in respect of the present petitioner must have advanced to a considerable extent and for which I find that his further detention may not be required in the interest of investigation.

In view of the above, the prayer for bail made by the petitioner is allowed.

Accordingly, petitioner namely **Karim Khan @ Lara**, shall be enlarged on bail upon furnishing a bond of Rs. 20,000/- with two registered sureties of Rs. 10,000/- each, one of whom must be local, subject to the satisfaction of learned Chief Judicial Magistrate, Malda and on condition that he will not leave the geographical limit of district Malda without taking permission from the Trial Court and also on condition that he will meet O.C./I.C. Kaliachak Police Station once in a week till further order and also on condition that the accused 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 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 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 nothing said herein shall be construed as an expression of opinion on the merits of the case.

The application for bail being **CRM (NDPS) 907 of 2025** is, accordingly allowed and disposed of.

Urgent Photostat certified copy of this order, if applied for, be given to the parties, upon compliance of all requisite formalities.

(Dr. Ajoy Kumar Mukherjee, J.)