

22.07.2025
Item no.23
Ct. No. 29
BD.

C.R.M. (NDPS) 845 of 2025

In Re:- An application for bail under section 439 of the Code of Criminal Procedure 1973, and/or an application under section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Howrah GRPS Police Station Case No. 61 of 2025 dated 03/05/2025 corresponding to PTN Case No. 2593 of 2025 under sections 20(b)(ii)(B)/ of the NDPS Act, 1985.

In the matter of : **Pankaj Sahani**

.... Petitioner.

Ms. Rituparna Bhadra ...for the Petitioner.

Mr. Sandip Chakraborty
Mr. Aritra Bhattacharya ...for the State.

It is submitted on behalf of the petitioner that the petitioner is in custody for about seventy days and 4.85 Kgs. of ganja was allegedly recovered from the possession of the petitioner. She further submits that charge-sheet has already been submitted though trial has not yet started. Accordingly, nobody knows when the trial would be concluded 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 but in his usual fairness he submits that the narcotics substance involved in the present case is below commercial quantity.

Having heard learned counsel appearing on behalf of both the parties and that rigour of section 37 of the NDPS Act, does not attract in respect of the present

petitioner and that investigation has already been culminated into a charge-sheet and for which further detention of the present petitioner may not yield any fruitful result and considering all these prayer for bail made by the petitioner is considered and allowed.

Accordingly, the petitioner namely, **Pankaj Sahani**, 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, Howrah, and also on condition that the petitioner shall not leave the geographical limit of District- Howrah, without the leave of the trial court, and shall report to the Inspector-in-Charge/Officer-in-Charge, Howrah GRPS Police Station, District –Howrah, 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) 845 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.)