

26.09.2025
Item no. 11
Ct. No. 29
(ALLOWED)

C.R.M. (NDPS) 861 of 2025

In Re:- An application for bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with TR Case No. 21 of 2024 arising out of Chatterjeehat Police Station Case No. 204 of 2024 dated 02.10.2024 under sections 21(c)/29 of the NDPS Act, 1985.

BD.

In the matter of : **Danabir Chatterjee & Anr.**
.... Petitioners.

Md. Wasim Akram
Ms. Sabrina Parveen ... for the petitioners.

Ms. Rituparna Ghosh
Mr. Akash Ganguly ... for the State.

Report submitted by the State is taken on record.

In the Kona Expressway, one vehicle was intercepted wherefrom 336 litres of “Phensegrip” containing Triprolidine Hydrochloride and Codeine Phosphate and 11,66,400 pieces of “Spasmoproxytil Plus” and “ Payeevon Spas Plus” capsules containing Dicyclomine Hydrochloride, Tramadol Hydrochloride and Acetaminophen said to be contraband drugs were recovered from the said vehicle. Learned counsel appearing on behalf of the petitioners submits that petitioner no. 1 has valid drug license to deal with those medicines and petitioner no. 1 is proprietor of Chatterje Pharmaceuticals, which has been registered under the Drugs & Cosmetics Rules, 1945 to sell stock, exhibit or distribute wholesale drugs under valid drug licence and the petitioners are in custody since 2nd October, 2024 and investigation has already been culminated into a

charge-sheet and charge has also been framed on 8th August, 2025 and as such their further detention will not yield any fruitful result and they may be released on bail on any terms and conditions.

Learned counsel appearing on behalf of the State placed the report dated 26th September, 2025, which discloses that the petitioner no.1 has wholesale valid license upto 05.06.2026 and under the said license petitioners are permitted to sale stock or exhibit or offer sale or distribute by wholesale license and the mentioned medicines such as Such H1 drugs and as per guidelines these medicines are to be sold as wholesale basis not as the retail basis by the mentioned petitioners firm.

Having heard learned counsel appearing on behalf of the petitioners and the State, and relying upon the report submitted by the State and that trial has just commenced and as such there is uncertainty as to when the trial would conclude and considering all these, the prayer for bail made by the petitioners is allowed.

Accordingly, the petitioners namely, **Danabir Chatterjee and Bijoy Chakroborty**, shall find bail of Rs. 20,000/- each 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 petitioners 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, Chatterjeehat at Police Station, District-Howrah, once in a week until further order.

It is further ordered 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 cell phone numbers 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 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) 861 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.)