

**CRM (NDPS) 863 of 2025**

An application for bail under Section 439 of the Code of Criminal Procedure, 1973 read with Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Kaliachak Police Station Case No. 206/2025 dated 12.02.2025 under Sections 21( c)/25/27A/29/30 of the NDPS Act, 1985.

**Rabbil Sk @ Rabib Khan**

**Vs.**

**The State of West Bengal**

**Md. Wasim Akram**

**Ms. Sabrina Parveen**

**.....For the Petitioner**

**Mr. Koushik Kundu**

**Mr. Abhinaba Mukherjee**

**....For the State**

Report submitted by the learned counsel appearing on behalf of the State is kept on record.

Petitioner submits that the petitioner is in custody for about 110 days and nothing was recovered from his possession and his name transpired from the co-accused statement from whom 2.915 kg. of brown sugar and 5.946 kg. of sodium carbonate was recovered. He further submits that though he was taken 7 days' police custody but nothing was recovered from his possession and investigation has already been ended in charge sheet and there is hardly any chance of early conclusion of trial and as such he may be released on bail on any terms and conditions.

Learned counsel appearing on behalf of the State

placed the report dated 02.09.25 which discloses that they did not find any criminal antecedent of the present petitioner nor they could detect any CDR or money trailing in respect of the present petitioner and they are suspecting that he managed to flee away from the spot when the six persons were arrested from the P. O.

Having heard the learned counsel appearing on behalf of the petitioner and the State and that nothing was recovered from his possession though he was taken to seven days' police custody, I find that rigour of Section 37 of the NDPS Act may not attract in respect of the present petitioner, his prayer for bail is considered and allowed.

Accordingly, the petitioner namely, **Rabbil Sk @ Rabib Khan** shall be released on bail upon furnishing a bond of Rs. 20,000/- with two registered sureties of Rs. 10000/-each, of which one must be local, subject to the satisfaction of the learned Chief Judicial Magistrate, Malda, and also on condition that the petitioner shall not leave the geographical limit of District – Malda, without the leave of the Trial Court and shall report to the Officer-in-charge/Inspector in Charge, Kaliachak Police Station, District – Malda, 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 him 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 petitioner shall not leave the jurisdiction of trial court without taking leave from the court below. 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 by this Court.

Accordingly, CRM (NDPS) 863 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.)**