

CRM (NDPS) 875 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 Samsherganj Police Station Case No. 445/2023 dated 26.11.2023 under Sections 20(b) (ii)(c) /29 of the NDPS Act.

Pradip Saha
Vs.
The State of West Bengal

Mr. Jisan Iqubal Hossain
.....For the Petitioner
Ms. Rituparna De Ghosh
Mr. Dipankar Paramanick
....For the State

Report submitted by the State is taken on record.

It is submitted on behalf of the petitioner that 60 kg. of ganja was recovered from the joint possession of the present petitioner and one Bablu Sk. and the petitioner is in custody for about one year and nine months. He further submits that the co-accused Bablu Sk. has already been granted bail by this court and he is almost on the same footing 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 27.07.2025 and contended that the present petitioner is not on the same footing. She further submits that the prosecution is required to examine five

more witnesses and it is expected that the trial would be concluded within a short span of time.

Having heard the submissions made on behalf of both the parties and considering the period of incarceration suffered by the petitioner and that there is hardly any chance of early conclusion of trial, the prayer for bail is allowed only on the touchstone of Article 21 of the Constitution of India.

Accordingly, the petitioner namely, **Pradip Saha** 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, Murshidabad, and also on condition that the petitioner shall not leave the geographical limit of District – Murshidabad, without the leave of the Trial Court and shall report to the Officer-in-charge/Inspector in Charge, Samsheganj Police Station, District – Murshidabad, 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) 875 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.)