

CRM (NDPS) 876 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 Chandrakona Police Station Case No. 369/2024 dated 09.11.2024 under Sections 20(b) (ii)(c) /25 of the NDPS Act.

**Radheshyam Kumar Singh @ Radheshyam Singh @ Radhe
Vs.
The State of West Bengal**

**Mr. Amit Ranjan Pati
Mr. Sunayan Ghosh
Ms. Swastika Chowdhury
Ms. K. Kubra
Mr. Avijit Chatterjee
.....For the Petitioner
Mr. Anand Keshri
Mr. S. S. Saha
....For the State**

Learned counsel appearing on behalf of the petitioner submits that the petitioner was arrested on the basis of the co-accused statement and nothing was recovered from the possession of the present petitioner in connection with instant case being Chandrakona P. S. Case No. 369 of 2024 dated 09.11.2024. He further submits that according to the prosecution case 21 kgs. 810 grams ganja was recovered from the two co-accused persons following whose statement present petitioner was arrested. However, investigation concluded and the charge sheet has already been submitted and as such his further detention may not be required and he may be released on bail on any terms and conditions. Petitioner is in custody since 18.11.2024.

Mr. Keshri, learned counsel appearing on behalf of the State submits that while the petitioner was arrested in connection with the instant case, he was taken to police custody and during his police custody 21 kgs. 810 grams ganja was recovered from the possession of the petitioner. However, in respect of the said seizure a separate case being Daspur P. S. Case No. 593 of 2024 dated 21.11.2024 has been started. However, he candidly submits that the materials so far available in connection with the instant case, the seizure was not made relating to the instant case and as such he leaves the prayer for bail to the discretion of the court.

Having heard the submissions made on behalf of both the parties and that the recovery so far alleged by the prosecution from the petitioner is not in connection with the instant case but it is in connection with a separate proceeding being Daspur P. S. Case No. 593 of 2024 and that his name transpired from the co-accused statement, the rigour of Section 37 of the NDPS Act may not attract in respect of the present petitioner in the instant proceeding. Therefore, the prayer for bail made by the petitioner is allowed.

Accordingly, the petitioner namely, **Radheshyam Kumar Singh @ Radheshyam Singh @ Radhe** 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, Paschim Medinipur, and also on condition that the petitioner shall not leave the geographical limit of District – Paschim Medinipur, without the leave of the Trial Court and shall report to the Officer-in-charge/Inspector in Charge, Chandrakone Police Station, District – Paschim Medinipur, 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) 876 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.)