

24.07.2025
Item no.24
Ct. No. 29
Akb
(Allowed)

C.R.M. (NDPS) 879 of 2025

In Re:- An application for bail under section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Palashipara Police Station Case No. 28 of 2025 dated 12/01/2025 under sections 21(c) of the NDPS Act, 1985.

In the matter of : **Mashidul Sk**

.... Petitioner.

Mr. Amanul Islam

Mr. Sourav Mukherjee

...for the Petitioner.

Mrs. Faria Hossain

Mr. Saptarshi Chakraborty

...for the State.

Prosecution case is that 379.7 gms. of heroine was recovered from the principal accused Mafijul Sk. @ Sekh.

Learned counsel appearing on behalf of the petitioner submits that nothing was recovered from the possession of the petitioner and his name transpired from the co-accused statement and that he is in custody for about eighty days. Accordingly, he submits that petitioner may be released on bail on any terms and conditions.

Learned counsel appearing on behalf of the State opposed the bail prayer. However, in her usual fairness she submits that the name of the present petitioner transpired from the co-accused statement and that nothing was recovered from his possession, although he was taken to police custody immediate after arrest.

Having considered the submissions made on behalf of the petitioner and the State and that the investigation has already been culminated into a charge-sheet and that rigour of section 37 of the NDPS Act, may not attract in respect of the present petitioner in the instant proceeding and that no fruitful purpose would be served by detaining the petitioner any further in the custody, and that there is hardly any chance of early conclusion of trial the prayer for bail made by the petitioner is allowed.

Accordingly, the petitioner namely, **Mashidul Sk.**, 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, Krishnanagar, Nadia, and also on condition that the petitioner shall not leave the geographical limit of District- Nadia, without the leave of the trial court, and shall report to the Officer-in-Charge, Palashipara Police Station, District –Nadia, 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) 879 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.)