

26.08.2025

akb
Sl. 22
Ct.29
Allowed

CRM (NDPS) No. 883 of 2025

In re: An application for bail under Section 483 of the BNSS Act, 2023 filed in connection with JO. Code – WB00676 arising out of Hogolberia Police Station Case No. 88 of 2025 dated 23/03/2025 under Section 21(C)/29 of the N.D.P.S. Act, 1985.

And

In re: Latib Sekh

... petitioner.

Mr. Avilash Tripathi

...for the petitioner

Mr. Antarikshya Basu

Ms. Ankita Paul

...for the State.

Learned Counsel appearing on behalf of the petitioner submits that the name of the petitioner transpired from the co-accused statement and nothing was recovered from his possession and he is in custody for about 104 days and the investigation has already been culminated into a charge sheet and as such he may be released on bail on any terms and conditions.

Mr. Basu, learned Counsel appearing on behalf of the petitioner submits that from one Newton Mondal and two others, 495 bottles of cough syrup containing codeine phosphate was recovered and the name of the present petitioner transpired from the co-accused statement but he candidly submits that nothing was recovered from the possession of the present petitioner and the prosecution has also not detected any CDR in respect of the present petitioner and there is also no allegation of money trailing against him and as such he leaves the prayer for bail to the discretion of the Court.

Having heard learned Counsel appearing on behalf of the petitioner and the State and that due to no recovery of contraband from the possession of the present petitioner, the rigour of Section 37 of the NDPS Act may not attract and that investigation has already

ended in charge sheet and therefore, his further detention will not serve any fruitful purpose. In view of above the prayer for bail made by the petitioner is allowed.

Accordingly, petitioner namely **Latib Sekh**, shall be enlarged on bail upon furnishing a bond of Rs. 20,000/- with two registered sureties of Rs. 10,000/- each, one of whom must be local, subject to the satisfaction of learned Chief Judicial Magistrate, Krishnagar and on condition that he will not leave the geographical limit of district - Nadia without taking permission from the Trial Court and also on condition that he will meet O.C./I.C. Hogolberia Police Station once in a week till further order and also on condition that the accused 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 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 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 nothing said herein shall be construed as an expression of opinion on the merits of the case.

The application for bail being **CRM (NDPS) 883 of 2025** is, accordingly allowed and disposed of.

Urgent Photostat certified copy of this order, if applied for, be given to the parties, upon compliance of all requisite formalities.

(Dr. Ajoy Kumar Mukherjee, J.)