

05.08.2025
Item no.32
Ct. No. 29
BD.

C.R.M. (NDPS) 886 of 2025

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure 1973; An application under section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with NDPS Case No. 82 of 2024 arising out of Murutia Police Station Case No. 270 of 2024 dated 10/09/2025 under sections 21(C)/29 of the NDPS Act, 1985.

In the matter of : **Tujam Sk. & Anr.** Petitioners.

Mr. Sumanta Das
Mr. Avilash Tripathi ... for the petitioners.

Mr. Bitasok Banerjee
Mr. Asraf Mondal ... for the State.

It is submitted on behalf of the petitioners that petitioners are not FIR named and no contraband substances were recovered from the possession of the present petitioners. Their names transpired from the statement of co-accused Jibrail Karikar @ Jibu @ Gibrail, who has been granted bail from this Court vide order dated 03.07.2025 in CRM (NDPS) 746 of 2025. He further submits that present petitioners are in custody for about eighty days and they are almost on the same footing with that of co-accused Jibrail Karikar @ Jibu @ Gibrail. Accordingly they may be released on bail on any terms and conditions.

Learned counsel appearing on behalf of the State opposed the bail prayer. However, in his usual fairness he submits that during investigation nothing was recovered from the possession of the present petitioners

in spite of taking them in the police custody and they are almost on the same footing with that of co-accused Jibrail Karikar @ Jibu @ Gibrail.

Having considered the submissions made on behalf of the petitioners and the State, and that nothing was recovered from the possession of the present petitioners during investigation though they are taken in police custody and for which rigour of section 37 of the NDPS Act, may not attract in respect of the present petitioners and that the present petitioners are almost on the same footing with that of co-accused Jibrail Karikar @ Jibu @ Gibrail, the prayer for bail made by the petitioners is allowed.

Accordingly, the petitioners namely, (1) **Tujam Sk., (2) Tapan Sk. @ Tapas Sk. @ Samsuddin Sk.** shall find bail of Rs. 20,000/- each with two registered sureties of Rs. 10,000/- each, one of which must be local, subject to the satisfaction of learned Chief Judicial Magistrate, Krishnagar, Nadia, and also on condition that the petitioners shall not leave the geographical limit of District- Nadia, without the leave of the trial court, and shall report to the Inspector-in-Charge/Officer-in-Charge, Murutia Police Station, District- Nadia, once in a week until further order.

It is further ordered that the accused persons shall not mis-use the liberty granted by this Court and they

shall not tamper with any evidence orally or documentary during the trial. They shall not absent themselves on any day during trial and shall not commit any offence while on bail. They shall give their cell phone numbers to the local police station and shall not change it without prior permission of the trial court and they shall not in any manner try to delay the trial. The petitioners 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) 886 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.)

