

CRM (NDPS) 928 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 Dumdum Police Station Case No. 805/2022 dated 02.12.2022 under Sections 21(c)/29 of the NDPS Act, 1985.

Rejaul Gazi @ Tablet
Vs.
The State of West Bengal

Mr. Debasis Kar
Ms. Suhana Parvin
.....For the Petitioner
Ms. Sreyashee Biswas
Md. Y. A. Ismail
....For the State

Petitioner contended that 2.150 kg. of codeine mixture was recovered from the exclusive possession of the present petitioner and the petitioner is in custody for about 2 years nine months. He further submits that prosecution proposes to examine 10 witnesses out of which they could examine so far only 2 witnesses and nobody knows when the trial would be concluded and as such he may be released on bail on any terms and conditions.

Learned counsel appearing on behalf of the State opposed the bail prayer contending that after framing of charge, the examination of two charge sheet mentioned witnesses have been completed and the examination of charge sheet witness no.3 is continuing and 8th September, 2025 is fixed for further examination of charge sheet witness no.3 and also examination of charge sheet witness

no.4.

Having heard the learned counsel appearing on behalf of the petitioner and the State and also considering the period of incarceration already suffered by the petitioner and that it would take some more time to conclude the trial, the prayer for bail made by the petitioner is allowed only on the touchstone of Article 21 of the Constitution of India.

Accordingly, the petitioner namely, **Rejaul Gazi @ Tablet** 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 Additional Chief Judicial Magistrate, Barrackpore, and also on condition that the petitioner shall not leave the geographical limit of District – North 24 Parganas, without the leave of the Trial Court and shall report to the Officer-in-charge/Inspector in Charge, Dumdum Police Station, District – North 24 Parganas, 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) 928 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.)