

04.09.2025

akb
Sl. 227
Ct.29
Allowed

CRM (NDPS) No. 926 of 2025

In re: An application for bail under Section 483 of the BNSS Act, 2023 corresponding to Section 439 of the Code of Criminal Procedure Code filed in connection with TR (NDPS) 5 of 2025 arising out of Tamluk Police Station Case No. 369 of 2025 dated 11.05.2025 under Section 20(b)(ii)(b) of the N.D.P.S. Act, 1985.

And

In re: Sk. Mahasin @ Mahasin Khan ... petitioner.

Mr. Amitabha Karmakar ...for the petitioner

Mr. Madhusudan Sur
Mr. Debasish Brahma ...for the State

Learned Counsel appearing on behalf of the petitioner submits that intermittent quantity of Ganja was recovered from the possession of the present petitioner and the petitioner is in custody for about 112 days. He further submits that investigation has already been ended with charge sheet, which was filed on 11th May, 2025 and as such he may be released on bail on any terms and conditions.

Mr. Madhusudan Sur, learned Counsel appearing on behalf of the State opposed the bail prayer.

Having heard learned Counsel appearing on behalf of the petitioner and the State and that recovery of intermittent quantity of narcotic substances involved in the instant proceeding and for which restrictions under Section 37 of the NDPS Act does not attract in respect of the present petitioner and that investigation has already been ended with charge sheet and as such no fruitful purpose will be served by detaining him any further in the custody and considering all these, the prayer for bail made by the petitioner is allowed.

Accordingly, petitioner namely **Sk. Mahasin @ Mahasin Khan** 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, Purba Medinipur and on condition that he will not leave the geographical limit of district – Purba Medinipur without taking permission from the Trial Court and also on condition that he will meet O.C./I.C. Tamluk 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) 926 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.)