

19.08.2025
Item no.24
Ct. No. 29

C.R.M. (NDPS) 933 of 2025

In Re:- An application for bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with NDPS Case No. 17 of 2025 arising out of Jalangi Police Station Case No. 39 of 2025 dated 23/01/2025 under sections 20(b)(ii)/21(c)/25/29 of the NDPS Act, 1985.

BD. In the matter of : **Saiful Sekh @ Sk.** Petitioner.

Mr. Arnab Chatterjee
Mr. Amanul Islam
Mr. Sourav Mukherjee ... for the petitioner.

Mr. Ranabir Roy Chowdhury
Mr. Ashok Das ... for the State.

(ALLOWED)

Report submitted by the State is taken on record.

It is submitted on behalf of the petitioner that nothing was recovered from the possession of the present petitioner and he is in custody for six months. He further submits that only charge-sheet has been submitted in the present case and the trial has not yet commenced and as such nobody knows when the trial would commence and therefore he may be released on bail on any terms and conditions.

Prosecution case is that 8 Kgs. of ganja and 297 bottles of phenesedyl containing codeine phosphate were recovered from the possession of three foreign nationals and the name of the present petitioner transpired from the co-accused statement. However, in his usual fairness he submits that nothing was recovered from the possession of the present petitioner and though petitioner had two criminal antecedents one in

connection with Jalangi Police Station Case No. 682 of 2018 dated 29.10.2018 where the petitioner has already been acquitted and in connection with another Jalangi Police Station Case No. 557 of 2018 dated 09.09.2018 the petitioner is on court bail.

Having heard the submissions made on behalf of the petitioner and the State and that nothing was recovered from the possession of the present petitioner and as such the rigour of section 37 of the NDPS Act, may not attract in respect of the present petitioner, the prayer for bail made by the petitioner is allowed.

Accordingly, the petitioner namely **Saiful Sekh @ 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, Berhampore, Murshidabad, and also on condition that the petitioner shall not leave the geographical limit of District- Murshidabad, without the leave of the trial court, and shall report to the Inspector-in-charge/Officer-in-Charge, Jalangi Police Station, District- Murshidabad, 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) 933 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.)