

10.9.2025
222-223
SB
Allowed

C.R.M. (NDPS) 937 of 2025

In Re:- An application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with TR case no. 19 of 2023 arising out of NCB Crime no. 19/NCB/KOL/2023 dated 15.6.2023 under Sections 8(C)/20(b)(ii)(c)/29 of the NDPS Act, 1985.

And

In the matter of : **Insan Laskar**

.... Petitioner

With

C.R.M. (NDPS) 936 of 2025

In Re:- An application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with TR case no. 19 of 2023 arising out of NCB Crime no. 19/NCB/KOL/2023 dated 15.6.2023 under Sections 8(C)/20(b)(ii)(c)/29 of the NDPS Act, 1985.

In the matter of : **Arjun Manna**

.... Petitioner

Mr. Uday Shankar Chattopadhyay
Mr. Ashok Das
Mr. Toslim Ali
Ms. Rajashree Tah
Ms. Trisha Rakshit
Ms. Aishwarya Datta
Ms. Bidisha Chakraborty
Mr. Sadia Parveen

...for the Petitioner

Mr. Kallol Mondal
Mr. Sagar Saha

...for the NCB

In C.R.M. (NDPS) 937 of 2025

Mr. Anirban Mitra
Mr. Debapriya Samanta

...for the State

In CRM(NDPS) 936 of 2025

Prosecution case is that 30 kgs. of ganja was recovered from a vehicle which was driving by the petitioner in CRM (NDPS) 937 of 2025 and other two petitioners in CRM (NDPS)

936 of 2025 were found in the said vehicle when search and seizure were made.

Learned counsel for the petitioners submits that the petitioners are in custody since 14th June, 2023 for about two years and three months and though the charge was framed on 5th February, 2024 but the trial has not yet commenced. He further submits that the delay is not attributable to the present petitioners as they were taken to Hazaribag correctional home as per the preventive detention order was passed by the Union Government. However, said preventive detention order was subsequently quashed in WPA(H) 22 of 2025. Accordingly, all the petitioners in both the applications submit that considering their period of detention in custody, they may be released on bail on any terms and conditions.

Respective counsel appearing on behalf of prosecution in both the cases submit that the delay is attributable to the petitioners in view of the fact that one of the kingpin of the alleged offence namely, Jahanara Begum @ Jahanara Bibi was arrested on 23rd March, 2024 and thereafter, she was released on bail by this court. As soon as she is released on bail, she has made a prayer for her discharge, which application is still pending for disposal and for which, the trial could not proceed. Now the charge has been framed on 5th February, 2024 against all the accused persons and as such, it will not take much time to conclude the trial.

Having considered the submissions made on behalf of both the parties and also considering the fact that the

petitioners has already suffered incarceration for a period of two years and three months and that there is still uncertainty as to when the trial would be concluded, the prayer for bail made by the petitioners are allowed only on the touchstone of Article 21 of the Constitution of India.

Accordingly, the petitioners namely, **Insan Laskar** in **CRM (NDPS) 937 of 2025** and **Arjun Manna** in **CRM (NDPS) 936 of 2025** shall be released on bail upon furnishing a bond of Rs. 20,000/- each with two registered sureties of Rs. 10000/- each, of which one must be local, subject to the satisfaction of the learned Chief Judicial Magistrate, Howrah and also on condition that the accused persons shall not misuse 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 mobile phone number 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 geographical limit of district of Howrah without taking leave from the court below and shall report to the O.C./I.C., Howrah Police Station once in a week until further order. 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.

Accordingly, CRM (NDPS) 937 of 2025 with CRM (NDPS) 936 of 2025 are 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.)