

09.09.2025
Item no.226
Ct. No. 29
(ALLOWED)

C.R.M. (NDPS) 959 of 2025

In Re:- An application for bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with NDPS Case No. 22 of 2025 arising out of Lalgola Police Station Case No. 124 of 2025 dated 12/02/2025 under sections 21(c)/29 of the NDPS Act, 1985.

BD. In the matter of : **Rahul Sk.** Petitioner.

Mr.Jisan Iqubal Hossain ... for the petitioner.

Mrs. Sreyashi Biswas
Ms. Nahid Ahmed ... for the State.

Learned counsel appearing on behalf of the petitioner submits that the petitioner was arrested on the basis of co-accused statement and though he was taken in police custody but nothing was recovered from his possession and he is in custody for about seven months. He further submits that prosecution case is that 260 gms. of heroine was recovered from the possession of one Haider Sk. with whom the petitioner has got no relation.

Learned counsel appearing on behalf of the State submitted a report dated 09.09.2025 and contended that the petitioner was arrested on the basis of co-accused statement and no call details could be detected and also after searching available P.S. record no criminal antecedence was found against the present petitioner and there is also no evidence of money trailing with the co-accused person and the next date is fixed on 18.11.2025 for charge hearing.

Having heard the submissions made on behalf of the petitioner and the State and that due to non-recovery of any narcotic substance from the possession of the present petitioner, rigour of section 37 of the NDPS Act, may not attract in respect of the present petitioner, and investigation has already been ended in a charge-sheet and as such I find no fruitful purpose will be served by detaining the present petitioner any further in the custody, the prayer for bail made by the petitioner is allowed.

Accordingly, the petitioner namely **Rahul 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, Lalgola 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) 959 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.)