

16.09.2025
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Allowed

C.R.M. (NDPS) 968 of 2025

In Re:- An application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with PTN case no. 145 of 2025 arising out of Manikchak Police Station case no. 111 of 2025 dated 14.2.2025 under Sections 21(c)/27A of the NDPS Act, 1985.

And

In the matter of : **Md. Mithun**

.... Petitioner

Mr. Mrityunjoy Chatterjee
Ms. Suchismita Chakraborty

...for the Petitioner

Ms. Faria Hossain, Ld. APP
Ms. Dhanasree Biswas

...for the State

Report submitted by the State dated 14.9.2025 is taken on record.

Prosecution case is that 30 bottles of phensedyl containing codeine phosphate was recovered from one Md. Sakirul but the present petitioner is neither FIR named nor any recovery was made from his possession and he is in custody for about 140 days.

Learned counsel for the petitioner submits that the investigation has already been ended in charge-sheet but the charge has not yet been framed and as such, it is uncertain as to when the trial would be concluded and considering his period of detention, he may be released on bail on any terms and conditions.

Learned counsel for the State opposed the bail prayer but in her usual fairness, she submits that the present

petitioner was arrested on the basis of the co-accused statement which has no evidentiary value in the eye of law.

Having considered the submissions made on behalf of both the parties, the petitioner namely, **Md. Mithun** 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 Chief Judicial Magistrate, Malda and also on condition 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 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 geographical limit of district of Malda without taking leave from the court below and shall report to the O.C./I.C., Manikchak 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) 968 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.)