

04.09.2025

akb
Sl. 232
Ct.29
Allowed

CRM (NDPS) No. 972 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 reference F. No. SI(VII)-131/2025 (AIU) dated 29.06.2025 under Section 20(b) and 23(a) of the N.D.P.S. Act, 1985.

And

In re: Mr. Atcharun Wajadee

... petitioner.

Mr. Debasis Kar
Mr. Husen Mustafi

...for the petitioner

In spite of service complainant Customs Authorities is not represented.

The allegation against the present petitioner is about recovery and seizure of 5686 gms. of Ganja, which was found to be illegally imported from Bangkok by Bhutan Airlines flight No. B3-701 dated 29.6.2025. The passenger was allegedly intercepted at the green channel during random check.

Learned Counsel appearing on behalf of the petitioner submits that the petitioner is in custody since 29.6.2025 and that the intermittent quantity of Ganja is involved in the alleged offence and as such he may be released on bail on any terms and conditions. He further submits that the investigation in connection with the present proceeding has already been completed.

Having heard learned Counsel appearing on behalf of the petitioner and also considering the fact that the intermittent quantity of Ganja was recovered from the possession of the present petitioner and that investigation has already been ended with charge sheet I find that further detention of the present petitioner will be of no use and as such his prayer for bail is allowed.

Accordingly, petitioner namely **Mr. Atcharun Wajadee** 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, Barasat and on condition that he will not leave the geographical limit of district – North 24-Parganas without taking permission from the Trial Court and also on condition that he will meet O.C./I.C. Barasat Police Station once in a week till further order also on further condition that the Investigating Agency will not handover the passport of the petitioner without the leave of the Trial Court and 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) 972 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.)

