

24.9.2025

akb
Sl. 180
Ct.29
Allowed

CRM (NDPS) No. 1018 of 2025

In re: An application for bail under Section 483 of the BNSS Act, 2023, corresponding to 439 of the Code of Criminal Procedure filed in connection with NDPS Case No. 61 of 2020 arising out of Palashipara Police Station Case No. 233 of 2020 dated 29.8.2020 under Section 21(c)/29 of the N.D.P.S. Act, 1985.

And

In re: Hafijul Sk @ Pintu

... petitioner.

Mr. Jaydeep Biswas
Mr. Amanul Islam
Mr. Sourav Mukherjee
Mr. Kaushik Ghosh

...for the petitioner

Mr. Subhamay Bhattacharyya
Mr., Kaustav Banerjee

...for the State]

The prosecution case that 210 gms. heroin was recovered from the house of one Mujibar Halsana, who has been granted bail by this Court. The name of the present petitioner transpired from the statement of Mujibar Halsana. He was granted bail by this Court in CRM (NDPS) 10218 of 2020 on 11.12.2020. However, he could not attend the Court for which warrant of arrest was issued against him and he was arrested on 10.6.2025 and since then he is in custody for about three and half months.

Learned counsel for the petitioner submits that this Court by the earlier order dated 10th September, 2025, requested the Trial Court to make charge hearing in respect of the present petitioner on the date fixed and accordingly, the order dated 23rd September, 2025 reveals that the charge has already been framed in the instant proceeding and the Trial Court has fixed on 16th; 17th and 19th January, 2026 for examination of CS witnesses No. 1, 7, 8, 10 and 11.

Learned Counsel for the State opposed the bail prayer.

Having heard learned Counsel appearing on behalf of the

petitioner and the State and that charge has already been framed but the examination of witnesses has not been commenced and there is hardly any chance of early conclusion of trial, I find that further detention of the present petitioner will not yield any fruitful result.

In such circumstances, petitioner namely **Hafijul Sk @ Pintu** may find bail 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, Krishnanagar, Nadia and on condition that he will not leave the geographical limit of District – Nadia without taking permission from the Trial Court and also 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 numbers 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) 1018 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.)

