

26.08.2025

akb
Sl. 35
Ct.29
Allowed

CRM (NDPS) No. 1045 of 2025

In re: An application for bail under Section 439 of the Code of Criminal Procedure corresponding to section 483 of the BNSS Act, 2023 filed in connection with NDPS Case No. 3118 of 2025 corresponding to F. No. S1(VII)-119/2025 (AIU) dated June 23, 2025 under Sections 20(b)/23(a) read with Section 8 of the N.D.P.S. Act, 1985 giving rise to NDPS Case No. 192 of 2025 (also written in the order sheet as N Case No. 192 of 2025).

And

In re: Shanti Dhirubhai Goswami
... petitioner.

Mr. Navnil De
Mr. Srinjan Ghosh

...for the petitioner

Air Customs Authority / Prosecutor is not represented.

Petitioner's Counsel contended that 9923 gms. of Ganja was allegedly recovered from the possession of the present petitioner and the petitioner is in custody for about 64 days and as such he may be released on bail on any terms and conditions.

Having considered the submissions made on behalf of the petitioner that intermittent quantity of contraband substance is involved in the present proceeding and for which rigour of Section 37 of the NDPS Act does not attract in respect of the present petitioner and that investigation in respect of the present petitioner must have been advanced to a considerable extent during the period he was in custody, the prayer for bail made by the petitioner is allowed.

Accordingly, petitioner namely **Shanti Dhirubhai Goswami** 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, North 24 Parganas, once in a week till further order 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 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) 1045 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.)