

10.09.2025
238
KAUSHIK
Allowed

C.R.M. (NDPS) 1073 of 2025

In Re:- An application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with **New Barrackpore** Police Station Case No. **185** of **2025** dated **21.06.2025** under Sections 20/29 of the NDPS Act, 1985.

And

In the matter of : **Avishek Biswas @ Amit**
.... **Petitioner**

Mr. Debasish Kar
Mr. Husen Mustafi
Mr. Arka Tilak Bhaduri
Ms. Suhana Pervin ...for the Petitioner

Mr. Ranabir Roy Chowdhury
Mr. Pravas Bhattacharya ...for the State

The prosecution case is that 5 Kgs. 771 gms. of 'Ganja' was allegedly recovered from the exclusive possession of the present petitioner. He further submits that he is in custody for about 80 days and the investigation has already been ended in charge-sheet and as such he may be released on bail on any terms and conditions.

Learned counsel appearing on behalf of the State opposed the bail prayer.

Having considered the submissions made on behalf of both the parties and that intermittent quantity of narcotic substance was recovered from the possession of the present petitioner and for which the rigour of Section 37 of the NDPS Act does not attract in respect of the present petitioner in the instant case and that the investigation has already been ended in charge-sheet and for which his further detention will

not yield any fruitful result, the prayer for bail made by the present petitioner is allowed.

Accordingly, the petitioner namely, **Avishek Biswas @ Amit** 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 **Additional Chief Judicial Magistrate, Barrackpore** with further condition not to leave the geographical limit of the North 24-Parganas District without the leave of the Trial Court and also on condition to report to the O.C./I.C., New Barrackpore Police Station 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, **CRM (NDPS) 1073 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.)