

11.09.2025
Item no.232
Ct. No. 29
BD.
(Interim
Bail)

C.R.M. (NDPS) 1104 of 2025

In Re:- An application for bail under section 439 of the Code of Criminal Procedure, 1973 read with section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with NDPS Case No. 49 of 2022 arising out of Tehatta Police Station Case No. 507 of 2022 dated 21/06/2022 under sections 21(c)/25/28/29 of the NDPS Act, 1985.

In the matter of : **Rafidul Seikh @ Hero & Anr.**
.... Petitioners.

Mr. Santanu Talukdar
Mr. Amanul Islam
Mr. Sourav Mukherjee ...for the Petitioners.

Mrs. Anusuya Sinha
Ms. Arfeen Begum ...for the State.

Prosecution case is that about 10000 bottles of phensedyl containing codeine phosphate was recovered from the joint possession of the four accused persons.

Learned counsel appearing on behalf of the petitioners submits that out of four accused persons accused Salam Sekh @ Lalu and Masadul Sk. have already been granted interim bail by this Court in CRM (NDPS) 920 of 2025 on 20th August, 2025 and the present petitioners are almost on the same footing and as such they may be released on bail on any terms and conditions.

Learned counsel appearing on behalf of the State opposed the bail prayer and submits that the case before the trial court is fixed for argument since 3rd March,

2025 and for the last eight dates arguments before the trial court is continuing and it has not yet been concluded. She further submits that on last occasion i.e., on 8th September, 2025 the argument could not be heard as the cease work observed by the local bar and the next date is fixed on 22nd September, 2025. However, learned counsel appearing for the State in her usual fairness submits that the present petitioners, who are in custody for about three years two months are almost on the same footing with that of the other petitioners, who have been granted bail earlier.

Having heard learned counsel for the petitioners and the State and that the present petitioners are almost on the same footing with that of Salam Sekh @ Lalu and Masadul Sk. the present petitioners namely **Rafidul Seikh @ Hero and Jahangir Mondal** herein may find **interim bail** of Rs. 20,000/- each with two registered sureties of Rs. 10,000/- each, one of which must be local, subject to the satisfaction of learned Chief Judicial Magistrate, Krishnagar, Nadia, and also on condition that the petitioners shall not leave the geographical limit of district- Nadia, without the leave of the trial court, and shall report to the Inspector-in-Charge, Tehatta Police Station, Nadia, twice in a week until further order.

It is further ordered that the accused persons shall not mis-use the liberty granted by this Court and they

shall not tamper with any evidence orally or documentary during the trial. They shall not absent themselves on any day during trial and shall not commit any offence while on bail. They shall give their cell phone numbers to the local police station and shall not change it without prior permission of the trial court and they shall not in any manner try to delay the trial. The petitioners shall not leave the jurisdiction of the trial court without taking leave from the Court below.

Let the matter be listed on 25th September, 2025.

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.)