

10.09.2025
208
KAUSHIK
Allowed

C.R.M. (NDPS) 1124 of 2025

In Re:- An application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with **Banshihari** Police Station Case No. **370** of **2025** dated **08.08.2025** under Sections 21(b)/20(b)/29 of the NDPS Act, 1985.

And

In the matter of : **Koushik Goswami**

.... Petitioner

Mr. Angshuman Chakraborty
Mr. S. S. Saha

...for the Petitioner

Ms. Anasuya Sinha
Ms. Eshita Dutta

...for the State

The prosecution case is that 10 Kgs. 346 gms. of 'Ganja' was allegedly recovered from the two accused persons out of whom one is juvenile in conflict with law. His further contention is that he was taken to police custody for 5 days but nothing was recovered from his possession. He further submits that the investigation is still in progress. He may be released on bail on any terms and conditions since the statement of co-accused has no evidentiary value in the eye of law.

Learned counsel appearing on behalf of the State opposed the bail prayer contending that investigation reveals that petitioner is the prospective consignee of the narcotic substance and he also made phone call with the accused from whom the recovery was made immediately before the occurrence.

Having considered the submissions made on behalf of both the parties and that recovery of intermittent quantity of narcotic substance is involved in the present case and investigation in respect of the present petitioner must have been advanced to a considerable extent and that his name transpired from the co-accused statement, the prayer for bail made by the present petitioner is allowed.

Accordingly, the petitioner namely, **Koushik Goswami** 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 **Chief Judicial Magistrate, Dakshin Dinajpur, Balurghat** with further condition not to leave the geographical limit of the Dakshin Dinajpur District without the leave of the Trial Court and also on condition to report to the O.C./I.C., Banshihari Police Station twice 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) **1124 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.)