

23.9.2025

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Ct.29

Allowed

CRM (NDPS) No. 1145 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 N Case No. 217 of 2025 (also written in the order sheet as NDPS Case No. 217 of 2025) arising out of F. No. S1(VII)-143/2025 (AIU) dated July 8, 2025 under Sections 20(b)/23(a) read with Section 8 of the N.D.P.S. Act, now pending before the Court of the Learned Additional District and Sessions Judge, 8th Court, Barasat, North 24 Parganas cum Special Judge under NDPS Act, Barasat, North 24 Parganas.

And

In the matter of : **Komal**

... petitioner.

Mr. Navanil De

Mr. Shoumilya Majumder

...for the petitioner

In spite of service, Air Customs Authority/complainant is not represented.

Learned counsel for the petitioner submits that 4995 gms. of ganja was recovered from the possession of the present petitioner and the petitioner is in custody since 8th July, 2025 i.e. for about 72 days and that investigation has already been ended and considering her period of detention, she may be released on bail on any terms and conditions.

Having considered the submissions made on behalf of the learned Counsel appearing on behalf of the petitioner, that recovery of intermittent quantity of ganja is involved in the instant case and for which, the rigour of Section 37 of the NDPS Act does not attract in respect of the present petitioner and that the investigation has already been ended and as such, her further detention will not yield any fruitful result and as such, the prayer for bail made by the petitioner is allowed.

Accordingly, petitioner namely, **Komal** 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, North 24 parganas and on condition that she will not leave the geographical limit of District-North 24 Parganas, without taking permission from the Trial Court and also on condition that the accused shall not misuse the liberty granted by this Court and she shall not tamper with any evidence orally or documentary during the trial. She shall not absent herself on any day during trial and shall not commit any offence while on bail. She shall give her mobile phone number to the local police station and shall not change it without prior permission of the Trial Court and she shall not in any manner try to delay the trial. The petitioner shall not leave the geographical limit of district of North 24 Parganas without taking leave from the court below and shall report to the O.C./I.C., Barasat Police Station once in a week until further order between sunrise and sunset. 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) 1145 of 2025 is, accordingly 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.)

