

19.09.2025
Item no.215
Ct. No. 29
(ALLOWED)

C.R.M. (NDPS) 1157 of 2025

In Re:- An application for bail under section 439 of the Code of Criminal Procedure corresponding to section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with NDPS Case No. 224 of 2025 (also written as N Case NO. 224 of 2025) arising out of F.No. S1 (VII) – 149/2025 (AIU) dated July 14, 2025 under sections 20 (b)/23(a) read with section 8 of the NDPS Act, 1985).

BD.

In the matter of : **Hiteshbhai Sureshbhai Kareli @**
Hiteshbhai Sureshbhai Karelia Petitioner.

Mr.Navnil De
Mr. Srinjan Ghosh ... for the petitioner.

In spite of service of notice upon the Air Customs/Complainant, complainant is not represented.

It is submitted on behalf of the petitioner that total 11.888 Kgs. of ganja was recovered from three accused persons and the present petitioner is one of them. He further submits that recovery in connection with the present case the quantity of ganja is much below the commercial quantity. Furthermore, Jigar Bhupendrabhai Dodiya, who is almost on the same footing has already obtained bail by this Court on 09.09.2025 in CRM (NDPS) 1100 of 2025. The petitioner is in custody for about 686 days and the investigation has already been completed and as such he may be released on bail on any terms and conditions.

Having heard learned counsel appearing on behalf of the petitioner it appears that the recovery of contraband substance involved in this case is much

below the commercial quantity and as such rigour of section 37 does not attract in respect of the present petitioner and that he is almost on the same footing with that of the petitioner in CRM (NDPS) 1100 of 2025 and that investigation has already been culminated into charge-sheet and for which his further detention will not yield and fruitful result and as such his prayer for bail is allowed.

Accordingly, the petitioner namely, **Hiteshbhai Sureshbhai Kareli @ Hiteshbhai Sureshbhai Karelia**, shall find bail of Rs. 20,000/- with two registered sureties of Rs. 10,000/- each, one of which must be local, subject to the satisfaction of learned Chief Judicial Magistrate, Barasat, North 24 Parganas, and also on condition that the petitioner shall not leave the geographical limit of District- North 24 Parganas, without the leave of the trial court, and shall report to the Inspector-in-charge/Officer-in-Charge, Barasat Police Station, District- North 24 Parganas, 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, C.R.M. (NDPS) 1157 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.)