

23.9.2025

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Ct.29

Allowed

CRM (NDPS) No. 1186 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. 225 of 2025 (also written in the order sheet as NDPS Case No. 225 of 2025) arising out of F. No. S1(VII)-151/2025 (AIU) dated July 15, 2025 under Sections 20(b)/23(a) read with Section 8 of the N.D.P.S. Act, 1985 read with Section 8 of the NDPS Act, 1985 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 : **Bikash Kumar**

... petitioner.

Mr. Navanil De

Mr. Monami Mukherjee

...for the petitioner

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

Learned counsel for the petitioner submits that intermittent quantity of ganja of which net weight is 6947 gms. was allegedly recovered from the exclusive possession of the present petitioner. Petitioner is in custody for about 71 days and the investigation has ended with the charge-sheet and as such, he 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, it appears that the intermittent quantity of narcotic substance is involved in the present case and as such, the rigour of Section 37 of the NDPS Act does not attract in respect of the present petitioner and the investigation has already been culminated into the charge-sheet and as such, I find that no fruitful purpose will be served by detaining the

petitioner any further in the custody, the prayer for bail made by the petitioner is allowed.

Accordingly, petitioner namely, **Bikash Kumar** 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 he 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 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 mobile 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 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. 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) 1186 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.)