

24.09.2025
Item no. 159
Ct. No. 29
(ALLOWED)

C.R.M. (NDPS) 1189 of 2025

In Re:- An application for bail under section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with NDPS Case No. 216/25 arising out of F.No. SI (VII) – 142/2025 (AIU) dated 06.07.2025 under sections 20 (b)/23(a) read with section 8 of the NDPS Act, 1985.

BD. In the matter of : **Asfaque Hossain** Petitioner.

Mr.Angshuman Chakraborty
Mr. S.S. Saha ... for the petitioner.

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

Learned counsel appearing on behalf of the petitioner submits that 7879 gms. of ganja was recovered from the possession of the present petitioner and the petitioner is in custody since 6th July, 2025 and the investigation has already been ended. He prays bail on any terms and conditions.

Having heard learned counsel appearing on behalf of the petitioner and that the recovery of intermittent quantity of contraband is involved in the instant proceeding and for which rigour of section 37 of the NDPS Act, does not attract in respect of the present petitioner and that investigation has already been ended I find further detention of the present petitioner will not yield any fruitful result because trial has not yet started, the prayer for bail made by the petitioner is allowed.

Accordingly, the petitioner namely, **Asfaque Hossain,**

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) 1189 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.)