

22
28-01-2025
(ct. no.29)
S. De
(Disposed of)

CRM (NDPS) 1499 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

- A n d -

In the matter of : Md. Nurshed Ali. Petitioner.

Mr. Sandip Chakraborty,
Mr. Kaustav Das, ... For the Petitioner.

Mr. Debasish Roy, Ld. P.P.,
Mr. Rudradipta Nandi, Ld. APP,
Mr. Antarikya Basu,
Mr. Soumadip Saha, ... For the State.

Order dictated by Arijit Banerjee, J.

1. By an order dated December 16, 2024, we had granted interim bail to the petitioner primarily on the ground of the FSL report not being filed with the chargesheet. This we had done following the ratio of the decision in the case of **Idul Mia** reported in **2024 SCC OnLine Cal 9109**.
2. We are told that even copies under Section 230 of the Bharatiya Nagarik Suraksha Sanhita, 2023, have not been supplied.
3. We are told that FSL report is now available and the same has confirmed that the seized goods are narcotics. However, that cannot presently affect the petitioner's right to enjoy bail.
4. We are fairly told by learned State advocate that the petitioner is complying with the conditions of interim bail. Report filed by the State be kept with the records.
5. In the aforesaid facts and circumstances, we are inclined to confirm the order of the interim bail on the same terms and

conditions on which the interim bail was granted to the petitioner and we do so.

6. CRM (NDPS) 1499 of 2024 is, accordingly, disposed of.

7. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)