

26.02.2025  
Item No.17  
Court No.26  
**Allowed**  
CHC

**CRM (NDPS) 1975 of 2024**

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure, 1973 read with Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with **Ashoknagar** Police Station Case No. **23/09** dated **19.01.2009** under Section **21** of N.D.P.S. Act, 1985.

-And-

**In the matter of : Dhrubajyoti Ghosh @ Gour**

... .. Petitioner

*Mr. Jaydeep Biswas, Advocate*

*Mr. Ashok Das, Advocate*

*Mr. Kaushik Ghosh, Advocate*

*Ms. Ayana De, Advocate*

*Ms. Hasi Jana, Advocate*

... .. For the Petitioner

*Mr. Debasish Roy, Ld. P.P.*

*Mr. Joydeep Biswas, Advocate*

*Mr. Dattatreya Dutta, Advocate*

... ..For the State

1. Report as called for by the order dated February 5, 2025 passed by the coordinate Bench filed in Court be taken on record.
2. There is no criminal antecedent so far as the petitioner is concerned.
3. Intermediate quantity of contraband was seized from the possession of the petitioner. Petitioner was enlarged on interim bail initially. There was a condition in such interim bail of payment which the petitioner did not comply with. Justification of the petitioner is that, he was not communicated with such condition by the learned advocate and therefore, there was non-compliance. Petitioner was

arrested 14 years subsequent to the initial order of interim bail on the basis of Warrant of Arrest.

4. Considering the fact that, intermediate quantity of contraband was seized from the possession of the petitioner and the fact that there is no criminal antecedent so far as the petitioner is concerned, we are inclined to grant bail to the petitioner.
5. Accordingly, we direct that the petitioner shall be released on bail upon furnishing a bond of Rs. 10,000/- (Rupees Ten Thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the **Learned Judge, Chief Judicial Magistrate, Barasat, North 24 Parganas**, subject to condition that the petitioner shall appear before the learned trial court on every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.
6. In the event, the petitioner fails to comply with the conditions as enshrined hereinbefore, it is open to the trial court to cancel the bail without further reference to this Court.
7. The prayer for bail of the petitioner is **allowed**.
8. CRM(NDPS) 1975 of 2024 is **disposed of**.

**(Debangsu Basak, J.)**

**(Md. Shabbar Rashidi, J.)**