

29.5.2026
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Allowed

C.R.M. (NDPS) 1140 of 2025

In Re:- An application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with N case no. 273 of 2025 arising out of Basirhat Police Station case no. 1089 of 2025 dated 14.11.2025 under Sections 21(c)/29 of the NDPS Act, 1985.

And
In the matter of : **Arijul Gazi** **.... Petitioner**

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

Mr. Baskar Seth
Ms. Nayana Mukhopadhyay ...for the State

Prosecution case is that 50 bottles of Wincerex cough syrup containing codeine phosphete was recovered from the possession of one co-accused, Manun Ali Gazi.

It is submitted on behalf of the petitioner that the name of the present petitioner transpired from the statement of the co-accused. However, he submits that the principal accused from whom the recovery was made, has already obtained bail from this court vide order dated 21st May, 2026 being CRM (NDPS) 838 of 2026. He further submits that the petitioner is on a better footing with that of the co-accused and therefore, he may be released on bail on any terms and conditions.

Learned counsel for the State opposes the bail prayer contending that the petitioner is running international racket of transporting narcotic substance and in the instant case, he was sending the narcotic substance to Bangladesh and therefore, he is not on the same footing with that of the co-accused, Mamun Ali Gazi.

Having gone through the materials collected during investigation and that the investigation has already been culminated into a charge-sheet and that the petitioner was arrested on the basis of the statement of the co-accused, which has got no evidentiary value, the prayer for bail made by the present petitioner is allowed.

Accordingly, the petitioner namely, **Arijul Gazi** shall be released on bail upon furnishing a bond of Rs. 20,000/- with two registered sureties of Rs. 10000/- each, of which one must be local, subject to the satisfaction of the learned Chief Judicial Magistrate, Barasat, North 24 Parganas and also on condition 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 leave the jurisdiction of trial court without taking leave from trial court. 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. Be it mentioned in case of violation of any of the conditions as above, the trial court will be at liberty to cancel the bail without making any further reference to this court.

Be it further mentioned, that anything said herein shall not be construed as an expression of opinion on the merit of the case.

The court below will be at liberty to impose any other conditions as he deems it fit and proper.

Accordingly, CRM (NDPS) 1140 of 2026 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.)