

26.11.2020

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Allowed

C.R.M. 9019 of 2020
(via video conference)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Case No. N-203 of 2020 arising out of SI of Excise, Bongaon Circle, S.L. No. 07/20-21 dated 25.09.2020 under Section 20(B) of the NDPS Act.

And

In Re : Raju Joshohara petitioner

Mr. Krishnendu Bhadra
.....for the petitioner

Mr. S. G. Mukherjee, learned P.P.
Mr. P. K. Dutta
Mr. P.P. Das
....for the State

Having considered the materials on record and bearing in mind the facts and circumstances of the case and in view of the nature of allegations i.e. alleged possession of 8 Kg. of Ganja which is below commercial quantity and in view of period of detention suffered by the petitioner i.e. 61 days, we are inclined to grant bail to the petitioner.

Accordingly we direct that the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Judge, Special Court under NDPS Act, North 24-Parganas, subject to condition that the petitioner shall appear before the trial court on every date of hearing until

further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)