

C.R.M. 10218 of 2020

(Through Video Conference)

In the matter of : An application for bail under section 439 of the Code of Criminal Procedure in connection with Palashipara P.S. Case No. 233 of 2020 dated 29.08.2020 under sections 21(c)/29 of the NDPS Act.

And

In the matter of : Hafijul Sk @ Pintu

Ms. Karabi Roy

... ... for the petitioner

Mr. Prasun Kr. Dutta, APP

Mr. Sanjay Bardhan

Mr. Saryati Datta

... ... for the State

It is submitted on behalf of the petitioner that no narcotic substance was recovered from the petitioner.

It is contended on behalf of the State that narcotic substance was recovered from the residence of the co-accused.

Keeping in mind the extent of complicity of the petitioner which has transpired from the statement of the co-accused before police officer and the period of detention suffered by the petitioner, that is, 74 days, we are inclined to grant bail to the petitioner.

Accordingly, 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, Krishnagar, Nadia subject to the condition that the petitioner shall appear

before the trial Court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to do so 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, thus, allowed.

The parties shall act in terms of the copy of the order downloaded from the official website of this court.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)