

19.03.2021
Item No.82
Ct.No.28
Subha
Allowed

C.R.M. 947 of 2021
(Via Video Conference)

In Re: An application for bail under Section 439 Cr.P.C in connection with Bhimpur P. S. Case No. 311 of 2020 dated 29-11-2020 under Sections 21(b) of the Narcotic Drugs and Psychotropic Substances Act, corresponding to N.D.P.S Case No.81/2020.

In the matter of : **Jahangir Mondal** ... Petitioner.

Mr. Prabir Majumder
... For the Petitioner.

Mr. Arijit Ganguly
Mr. Sanjib Kumar Dan
... For the State.

The present application under Section 439 of the code of Criminal Procedure has been preferred by the petitioner in connection with Bhimpur P. S. Case No. 311 of 2020 dated 29-11-2020 under Sections 21(b) of the Narcotic Drugs and Psychotropic Substances Act, corresponding to N.D.P.S Case No.81/2020.

Mr. Majumder, learned advocate appearing for the petitioner submits that the petitioner is in custody since 29th November, 2020 and the subject-matter of the case involves the recovery of 5 kg of contraband(ganja) and as such prays for discretion of bail in favour of the present petitioner.

Mr. Ganguly, learned advocate appearing for the State submits that the recovery of the contraband was of intermediary quantity.

We have perused the seizure list and the quantum of recovery which has been made in this case which is of 5kg of contraband(ganja) and we are of the opinion that the rigours of Section 37 of the N. D. P. S Act is not attracted in this case and as such, the prayer for bail of the petitioner is allowed.

Therefore, the present petitioner, namely, **Jahangir Mondal** 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, Special Court, N.D.P.S Act, Nadia at Krishnagar* and on further condition that while on bail, the petitioner shall meet with the Officer-in-Charge, Bhimpur Police Station once a week until further orders and they shall not leave the jurisdiction of the said police station without the leave of the learned Trial Court.

With the aforesaid observations, the application for bail being CRM 947 of 2021 is, accordingly, disposed of.

(Harish Tandon, J.)

(Tirthankar Ghosh, J.)