

CRM 4499 of 2021

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Bhimpur Police Station** Case No. **135 of 2021** dated **08.05.2021** under Section **20(b)(ii)(B)** of the NDPS Act.

- A n d -

In the matter of : Gouranga Hazra

.... Petitioner.

Mr. Kushal Kumar Mukherjee,

... For the Petitioner.

Mr. S. Dutta,

... For the State.

Four kgs of ganja was allegedly recovered from the petitioner. The same being of intermediate quantity, the restriction in Section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985 would not be attracted.

We have considered the material in the case diary. The petitioner is in custody for 110 days. Charge sheet has been submitted.

On an overall assessment of the material on record, we are of the view that further custodial detention of the petitioner is not necessary.

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 the NDPS Act, Krishnagar, Nadia and on further conditions that he shall not leave the jurisdiction of the concerned police station and shall report to the Officer-in-Charge of the

concerned police station once in a fortnight until further orders. 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 adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this court.

The application for bail is, accordingly, allowed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)