

22.09.2021

CRM 4448 of 2021

Court No.28
Item No.37

As
(Allowed)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with NDPS Case No.40 of 2021 arising out of Krishnanagar G. R. Police Station Case No. 06 of 2021 under Sections 21 (a) of the N. D. P. S. Act.

And

In the matter of : **Jahangir Mallick.**

...Petitioners

**Mohammad Khairul,
Mr. Munshi Manzoor Hossain,
Mohammad Irfan.**

...For the Petitioner.

Mr. Ranadeb Sengupta.

...For the State.

The petitioner has filed the instant application for bail under Section 439 of the Code of Criminal Procedure after being arrested in connection with NDPS Case No.40 of 2021 arising out of Krishnanagar G. R. Police Station Case No. 06 of 2021 under Sections 21 (a) of the N. D. P. S. Act.

The intermediate quantity of the contraband was seized and recovered from the exclusive possession of the petitioner. Obviously, the bar created under Section 37 of the N. D. P. S. Act does not apply.

After perusing the materials available from the Case Diary and upon considering the submissions made at the Bar, we feel that there is no justification in keeping the petitioner in custody any longer since he is in custody for nearly 150 days.

The prayer for bail of the petitioner is thus allowed.

Accordingly, the petitioner shall be released on bail upon

furnishing a bond of Rs.10,000 /- (Rupees Ten Thousand), with two court sureties of like amount each, one of whom must be local, to the satisfaction of the learned Special judge, NDPS Court, Nadia at Krishnanagar subject to the condition that the petitioner shall meet the Investigating Officer once in a week and shall appear before the Trial Court on every date of hearing until further orders.

In the event the petitioner fails to do so without any justifiable cause, the Trial Court shall be at liberty to pass necessary order in accordance with law without any further reference to this Court.

The application for bail, being CRM 4448 of 2021, is thus **disposed of.**

(Harish Tandon, J)

(Bibek Chaudhuri,J.)