

22.11.2021

CRM 5564 of 2021

Court No.28
Item No.63
(ALLOWED)

Ab

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed on 16.08.2021 in connection with Swarupnagar Police Station Case No. 413 of 2021 dated 23.04.2021 under Section 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act;

And

In the matter of : **Ibrahim Sardar.**

...Petitioner

**Mr. Angshuman Chakraborty,
Mr. Shashanka Sekhar Saha.**

...For the Petitioner.

**Mr. Sanjay Bardhan,
Ms. Baisakhi Chatterjee**

... 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 Swarupnagar Police Station Case No. 413 of 2021 under Section 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act.

Learned Lawyer for the petitioner submits that the petitioner is in custody for 206 days. 10 kilograms of *ganja* were recovered from the possession of the petitioner. Charge sheet has been submitted. Considering the long incarceration, the petitioner may be granted bail.

Learned Lawyer appearing for the State opposes the prayer for bail.

We have perused the materials in the case diary. It appears that 10 kilograms of *ganja* were recovered from the possession of the petitioner, which are of intermediate quantity. As it appears, the chemical examination report has not yet been collected by the investigating officer, however, the charge sheet has been submitted against the petitioner.

Having regard to the above and considering the quantity of contraband recovered from the possession of the petitioner and that period of detention undergone by him, we are inclined to release the

petitioner on bail.

Accordingly, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand), 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, North 24-Parganas, Barasat, subject to the condition that the petitioner 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 5564 of 2021, is thus **allowed.**

(Harish Tandon, J)

(Rabindranath Samanta, J.)