

20.09.2021
Serial no. 04
Dd

(Through Video Conference)

CRM 5797 of 2021

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure filed on **27th August, 2021** in connection with **NDPS case no. 23/21 arising out of Krishnanagar GRPS** Case No. **02 of 2021** dated **19.02.2021** under **Section 21(a) of the NDPS Act.**

-And-

In the matter of : Saddam Mondal

... ..Petitioner

Mr. Swapan Kumar Mallick,
Ms. Sudeshna Das, Advocates
... .. For the Petitioner

Mr. Swapan Banerjee,
Mr. Suman De, Advocates
... ..For the State

Learned advocate appearing for the petitioner is granted leave to correct the typographical error in the petition.

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that the petitioner is in custody since February 19, 2021. He submits that the police are yet to submit the Chemical Report and the supplementary charge sheet although charge sheet was submitted. He submits that the quantity of narcotic claimed to be seized from the possession of the petitioner is of non-commercial quantity.

Learned advocate appearing for the State submits that the police obtained the Chemical Report and it transpires from such report that the substance seized from the possession of the petitioner is narcotics. However, the same

is of non-commercial quantity. He submits that the police submitted charge sheet and subsequently submitted supplementary charge sheet before the jurisdictional court.

Considering the fact that the narcotic seized from the possession of the petitioner is of non-commercial quantity and considering the fact that the police concluded the investigation and submitted charge sheet as well supplementary charge sheet, we are inclined to grant bail to the petitioner.

Accordingly, we direct that the petitioner shall 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 under NDPS Act, Krishnagar, Nadia subject to condition that the petitioner shall appear before the learned trial court on every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.

In the event, the petitioner fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel the bail of the petitioner in accordance with law without further reference to this Court.

The prayer for bail is **allowed**.

CRM 5797 of 2021 is **disposed of**.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)