

22.09.2021

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Ct. No. 29
sdas
Allowed

**C.R.M. 6255 of 2021
(Via Video Conference)**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Hariharpara Police Station Case No. 264 of 2021 dated 10.07.2021 under Sections 21(b) of the NDPS Act.

And

In Re : Hasen Kha @ Hasen Khan petitioner

Mr. Arnab Chatterjee

.....for the petitioner

Mr. Swapan Banerjee

Mr. Suman De

....for the State

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that since quantum of alleged seizure is less than the commercial quantity and the statutory restrictions under Section 37 of the NDPS Act are not attracted. He also submits that the police submitted charge-sheet and further detention of the petitioner is not required.

State is represented.

Considering the quantum of alleged recovery made from the possession of the petitioner and considering the fact that the police submitted 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, Murshidabad, subject to the condition that 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 appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel bail of the petitioner automatically without further reference to this Court.

The application for bail is, accordingly, allowed.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)