

09.12.2021.
146.
Saswata
(Allowed)

C.R.M. 6331 of 2021

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Berhampore P.S. Case No.712 of 2021 dated 17.07.2021 under Sections 21(c)/(29) of the NDPS Act.

In the matter of : Mubarak Mollick & anr.

... Petitioners.

Mr. S.S. Saha

...For the Petitioners.

Mr. Madhusudan Sur, APP

Mr. Manaranjan Mahata

.....For the State.

It is submitted on behalf of the petitioners that they are in custody for about 149 days.

Having considered the nature of allegations involving alleged possession of narcotic substance of intermediate quantity, i.e., 80 grams of heroin and in view of the period of detention suffered by the petitioner, i.e., 149 days, we are inclined to grant bail to the petitioners.

Accordingly, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/-each 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, Berhampore, Murshidabad subject to condition that the petitioners shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event, the petitioners fail to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel their bail in accordance with law without further reference to this Court.

The application for bail is disposed of.

(Bivas Pattanayak,J.)

(Joymalya Bagchi, J.)