

27.09.2021
Serial no. 20
Dd

(Through Video Conference)

CRM 6380 of 2021

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure filed on **22nd September, 2021** in connection with **Belda** Police Station Case No. **193 of 2019** dated **06.06.2019** under **Sections 20(b)(ii)(B)/25** of the Narcotic Drugs and Psychotropic Substances Act, 1985.

-And-

In the matter of : Jiban Nandi

... ..Petitioner

Mr. Soumyajit Das Mahapatra, Advocate
... .. For the Petitioner

Mr. Ranadeb Sengupta, Advocate
... ..For the State

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that nothing was recovered from the possession of the petitioner. In any event, the contraband is below the commercial quantity. Police submitted charge sheet and, therefore, further detention of the petitioner is not required.

Learned advocate appearing for the State submits that police recovered below commercial quantity of ganja from the motorcycle which belongs to the petitioner. The petitioner was absconding for a considerable period of time. The petitioner surrendered on 16th July, 2021.

Considering that the contraband seized is below commercial quantity 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, Paschim Medinipur 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 6380 of 2021 is **disposed of**.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)