

08.12.2021
Sl. No.102
akd
[ALLOWED]

C. R. M. 6429 of 2021

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 17.09.2021 in connection with Jalangi Police Station Case No. 159 of 2021 dated 13.06.2021 under Sections 20(b)/29(b) of the NDPS Act. (NDPS Case No.107 of 2021)

And

In Re: **Ashikul Sk.**

... .. Petitioner

Mr. Jisan Iqbal Hossain

... .. for the petitioner

Mr. Ranadeb Sengupta

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 175 days.

Learned Counsel for the State opposes the prayer for bail.

Having considered the materials on record and bearing in mind the nature of allegations i.e. alleged possession of intermediate quantity of narcotic substance i.e. 12.5 kgs. of *Ganja*, which is below commercial quantity and in view of the period of detention suffered by the petitioner, we are of the opinion that further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely **Ashikul Sk.**, be released on bail upon furnishing 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 the NDPS Act, 1985, Berhampore, Murshidabad subject to condition that the said petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate

witnesses or tamper with evidence in any manner whatsoever or commit similar offences in future.

In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application for bail, thus, stands **allowed**.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)