

10.12.2021
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allowed

**CRM 6486 of 2021
(via video conferencing)**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bhimpur Police Station Case No. 62 of 2021 dated 13.03.2021 under Sections 20(b)(ii)(B) of the NDPS Act.

And

In Re : Prosenjit Swarnakar @ Kalu petitioner

Mr. Prabir Majumder

.....for the petitioner

Mr. N. Ahmed, learned APP

..... for the State

Having considered materials on record and bearing in mind the nature of allegation involving recovery of narcotic substance of intermediate quantity i.e. 5.4 kgs. of Ganja and in view of period of detention already suffered by the petitioner i.e. 223 days, we are inclined to grant bail to him.

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, Nadia at Krishnagar, 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 his bail automatically without further reference to this Court.

The application for bail is, accordingly, allowed.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)