

09.11.2021
Sl. No.74
sp
[Allowed]

C. R. M. 7171 of 2021

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 28.10.2021 in connection with Howrah G.R.P.S. Police Station Case No.34 of 2021 dated 09.08.2021 under Sections 20(b)(ii)(B)/29 of the NDPS Act.

And

In Re: ***Bappa Naskar & Anr.***

... .. Petitioners

Mr. Mrityunjoy Chatterjee, Advocate

Mr. S. Bhattacharyya, Advocate

... .. for the petitioners

Ms. Sukanya Bhattacharjee, Advocate

Ms. Sreeparna Das, Advocate

... .. for the State

Petitioners are in custody for 101 days. It is submitted that the investigation is complete.

Learned lawyer for the State opposes the prayer for bail.

Having considered the materials on record and bearing in mind the nature of allegations, particularly, the quantity of narcotic substance seized i.e. 17.740 kgs. of ganja which is below the commercial quantity and as the investigation is complete, we are inclined in granting bail to the petitioners.

Accordingly, the petitioners 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, Howrah, on 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 and on further condition that the petitioners, while on bail, shall not enter the jurisdiction of the Howrah G.R.P.S. Police Station until further orders except for the purpose of investigation and attending court proceeding and shall provide address where they shall presently reside to the investigating

officer as well as to the court below and shall report to the officer in charge of the concerned P.S. within whose jurisdiction they shall presently reside once in a week until further orders.

In the event they fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail automatically without reference to this Court.

The application for bail being CRM 7171 of 2021 is disposed of.

(Aniruddha Roy, J.)

(Joymalya Bagchi, J.)