

02.12.2021

Court No.29
Item No.431
(Allowed)

Saswata
(Assistant
Registrar)
(Court)

CRM 7762 of 2021

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Berhampore Police Station Case No. 264 of 2021 dated 16.03.2021 under Sections 22(c)/29 of the NDPS Act;

And

In the matter of : **Munna Sk.@ Manarul Hossain**
...Petitioner

Mr. G. N. Imrohi
...For the Petitioner

Mr. Saibal Bapuli, APP
Mr. Arani Bhattacharya
...For the State.

Having heard the learned advocate for the petitioner and the State and having considered the fact that other co accused who were on a similar footing as that of the petitioner were granted either bail or anticipatory bail and having considered the fact that no narcotic was recovered from the possession of the petitioner and having considered the fact that police filed charge sheet, we are of the view that the petitioner is able to rebut the presumptions under Section 37 of the NDPS Act, 1985. We grant bail to the petitioner.

The prayer for bail is allowed.

Accordingly, we direct that in the event of arrest, 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, to the satisfaction of the **Learned Judge, Special Court under NDPS Act, Berhampore, Murshidabad** subject to the condition that during bail he shall appear before the learned Trial Court on the date fixed till disposal of the trial and he shall not intimidate witnesses or tamper with

evidence in any manner whatsoever.

In the event the petitioner fails to comply with the condition as enshrined hereinbefore, it is open to the Trial Court to cancel the bail without any further reference to this Court.

The application for bail being CRM 7762 of 2021 is, thus, disposed of.

(Debangsu Basak, J.)

(Bibahas Ranjan De, J.)