

25.11.2021

Item No.37

Ct.No.1

dc./gsd

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI**

C.R.M. 1028 of 2021

(Via Video Conference)

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Ghoksedanga PS Case No. 337 of 2021 under Section 20(b)(II)(B) of the NDPS Act.

And

In the matter of : **Ratan Chaudhury**

... Petitioner.

Mr. Smarajit Basu

... for the petitioner

Mr. Ujjwal Luksom

Mr. Tapan Bhattacharjee

... For the State.

Lerned Advocate for the petitioner submits that there has been recovery of 11.8 kg *ganja* from the present petitioner and the same is of intermediate quantity.

Learned Advocate for the State opposes the prayer for bail and submits that the investigation of the case has already been concluded.

Having regard to the quantum of seizure which has been effected in connection with this case, we are of the view that the provisions of Section 37 of the NDPS Act are not attracted and also the period of detention of the present

petitioner appeals to this Court for releasing the petitioner on bail.

Accordingly, we direct that the petitioner, namely **Ratan Chaudhury** 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 Special Court under the NDPS Act, Cooch Behar and on further condition that the petitioner, while on bail, shall meet the Inspector-in-charge of Ghoksedanga P.S. once a week until further orders.

The application for bail, being CRM 1028 of 2021, is, thus, disposed of.

All parties shall act on the server copy of this order, duly obtained from the official website of the Hon'ble High Court Calcutta.

Urgent Xerox certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)

(Subrata Talukdar, J.)