

31.01.2022

Sl. 56

Court No.29

suvayan

(Allowed)

C.R.M. (NDPS) 96 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 19.01.2022 in connection with **Gangarampur** P.S. Case No. **164 of 2018** dated **06/07/2018** under Sections **21(C)/22(C)/23(C)/27A/28/29** of the Narcotic Drugs and Psychotropic Substances Act, arising out of NDPS Special Case No. **29 of 2018**.

And

In the matter of: Saddam Hossain

....petitioner

Mr. Sandeep Prasad Shaw

Mr. Anupam Some

Ms. Priyanka Gupta

...for the petitioner.

Mr. Sanjoy Bardhan

Mr. Santanu Chatterjee

...for the State.

Petitioners seek bail.

Considering the fact that no narcotic was seized from the possession of the petitioner and considering the fact that a co-accused standing on the same footing that granted bail by the co-ordinate Bench, we are of the view that the petitioner is able to overcome the restriction under Section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

Accordingly, the petitioner be released on bail upon furnishing a Bond of Rs.10,000/- 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, Balurghat, Dakshin Dinajpur 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 conditions 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 C.R.M. (NDPS) 96 of 2022 is,
thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)