

31.01.2022
Serial no. 63
Aloke
Ct. No. 29

(Through Video Conference)
CRM (NDPS) 103 of 2022

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 20.01.2022 in connection with Tapan P.S. Case No. 166 of 2021 dated 17.06.2021 under Sections 21(b)/22(b) of the NDPS Act.

-And-

In the matter of : Pintu Barman & Anr.

... ..Petitioners

Ms. Busra Khatun, Advocate

... .. For the Petitioners

Mr. Saryati Datta, Advocate

... ..For the State

Petitioners seek bail.

Considering the fact that no narcotic was recovered from the possession of the petitioners and that the petitioners are sought to be proceeded against on the basis of the statement of the co-accused and considering the fact that the police filed charge-sheet, we are of the view that the petitioners are able to overcome the restrictions under Section 37 of the NDPS Act, 1985.

Accordingly, we direct that the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only) 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, Balurghat, Dakshin Dinajpur, subject to condition that the petitioners shall appear before the learned trial court on every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.

In the event, the petitioners fail to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel the bail of the petitioners in accordance with law without further reference to this Court.

The prayer for bail is allowed.

CRM (NDPS) 103 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)