

CRM (NDPS) 179 of 2022

10.02.2022
Sl. 39
Court No.29
(sourav)
(Allowed)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **08.02.2022** in connection with **Khardah** Police Station Case No. **645** of **2021** dated **04.10.2021** under Sections **20(b)(ii)(B)** of the Narcotic Drugs and Psychotropic Substances Act, 1985 (in connection with N. Case No. 85 of 2021).

And

In the matter of: **Firoj Sk. @ Firoz Sk.**

....petitioner.

Mr. Koustav Bagchi
Mr. Debayan Ghosh
Ms. Priti Kar

...for the petitioner.

Mr. Ranadeb Sengupta

... for the State.

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the police claims to seize 5.2 kgs. of Ganja which is intermediate quantity. The police filed charge-sheet. Therefore, further detention of the petitioner is not required.

Learned advocate appearing for the State draws the attention of the Court to the seizure list and the contents of the case diary.

Considering the fact that the quantity of narcotic seized is below the commercial quantity, we are of the view that the petitioner is able to overcome the restrictions under Section 37 of the NDPS Act, 1985.

The police filed charge-sheet and, therefore, we are of the view that the further detention of the petitioner is not required.

Consequently, we grant bail to the petitioner.

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 Additional Chief Judicial Magistrate, Barrackpore, subject to the condition that during bail he shall appear before the learned trial court on every date of hearing and 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 **CRM (NDPS) 179 of 2022** is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

