

23.02.2022
Serial no.30
Aloke
Ct. No. 29

CRM (NDPS) 226 of 2022

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 16.02.2022 in connection with Hili P.S. Case No. 14 of 2021 dated 28.01.2021 under Sections 411/414/186/188/353/34 of the Indian Penal Code read with Sections 21(C)/22(C)/23(C)/27A/20(b)(ii)(c) of the NDPS Act.

-And-

In the matter of: Ananta Das

... ...Petitioner

Mr. Biswajit Manna, Advocate

... ... For the Petitioner

Mr. Sanjay Bardhan, Advocate

Mr. Palash Chandra Majhi, Advocate

... ...For the State

Petitioner prays for bail.

Considering the fact that no narcotic was seized from the possession of the petitioner and considering the fact that the petitioner is sought to be proceeded against on the basis of the statement of the co-accused with the police not being able to provide any material at present to substantiate any nexus between the petitioner and such co-accused and considering the fact that the police filed charge-sheet, we are of the view that the petitioner is able to overcome the restrictions under Section 37 of the NDPS Act, 1985. Consequently, we are inclined to grant bail to the petitioner.

Accordingly, we direct that 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, one of whom must be local, to the satisfaction of the learned Judge, Special Court under NDPS Act cum Additional District Judge, 3rd Court, Balurghat, Dakshin Dinajpur, subject to condition that the petitioner 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 petitioner fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel the bail of the petitioner in accordance with law without further reference to this Court.

The prayer for bail is allowed.

CRM (NDPS) 226 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)