

08.03.2022

Sl. 48
Court No.29
suvayan
(Allowed)

C.R.M. (NDPS) 263 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 02.03.2022 in connection with **Chanchal** P.S. Case No. **498/2021** dated **26/06/2021** under Section **21(B)** of the Narcotic Drugs and Psychotropic Substances Act.

And

In the matter of: Kurban Ali & Anr.

....petitioners

Mr. Sagar Saha

...for the petitioners.

Mr. Ranadeb Sengupta

...for the State.

Petitioners seek bail.

Learned Advocate appearing for the petitioners submits that intermediate quantity of narcotic was seized. The principal accuseds are on bail.

State is represented.

Considering the fact that intermediate quantity of narcotic was seized from the principal accuseds we are of the view that provision of Section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985 are not attracted. Considering the fact that the principal accuseds are on bail, we grant bail to the petitioners.

Accordingly, the petitioners 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 the NDPS Act, Additional District Judge, 4th Court, Malda, subject to the condition that during bail they shall appear before the learned trial court on the date fixed till disposal of the trial and they shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioners fail 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.

Accordingly, the prayer for bail of the petitioners is allowed.

CRM (NDPS) 263 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)