

15.03.2022

Sl. 46

Court No.29

suvayan

(Allowed)

C.R.M. (NDPS) 286 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 09.03.2022 in connection with **Kaliachak** P.S. Case No. **880/2021** dated **23/08/2021** under Sections **21(c)/29** of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of: Subed Ali

....petitioner

Mr. Amitabha Karmakar

Mr. Arup Kumar Bhowmick

...for the petitioner.

Mr. Ranadeb Sengupta

...for the State.

Petitioner seeks bail.

Considering the fact that no narcotic was recovered from the possession of the petitioner and considering the fact that the police filed charge-sheet and considering the fact that police are proceeding against the petitioner on the basis of the statement made by the co-accused while in custody, we are of the view that the petitioner is able to overcome the restrictions 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/- (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 the NDPS Act, Malda subject to the condition that during bail the petitioner shall appear before the learned trial court on the date fixed till disposal of the trial and the petitioner 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.

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

CRM (NDPS) 286 of 2022 is, thus disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)