

CRM (NDPS) 308 of 2022

24.03.2022
Sl. 31
Court No.29
(sourav)
(Allowed)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **17.03.2022** in connection with **Basirhat** P. S. Case No. **820** dated **20.12.2018** under Section **21c** of the Narcotic Drugs and Psychotropic Substances Act and Section **14** of the Foreigner Act.

And

In the matter of: **Firoj Gazi**

....petitioner.

Mr. Pronojit Roy,

...for the petitioner.

Mr. Binay Panda,
Ms. Puspita Saha,

... for the State.

Petitioner seeks bail.

Considering the fact that no narcotics was recovered from the possession of the petitioner and considering the fact that the police filed charge-sheet and considering the fact that the police are yet to establish the nexus between the petitioner and the person arrested with the commercial quantity of narcotics, we are of the view that the petitioner is able to overcome the restrictions under Section 37 of the NDPS Act, 1985.

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 Special Judge, under the NDPS Act, Barasat, North 24 Parganas, 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) 308 of 2022** is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

