

25.03.2022.
29
Ct.No.28
as
(Allowed)

C.R.M. (NDPS) 310 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with N. D. P. S. Case No.20 of 2021 arising out of Kotwali P.S. Case No.124 of 2021 dated 10.02.2021 under Section 20 (C) of the N. D. P. S. Act.

In the matter of : Kailash Pramanick.

.... Petitioner.

Mr. Sumanta Das.

...for the Petitioner.

Mr. Sanjoy Bardhan,
Mr. Palash Kr. Majhi.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner is in custody for 102 days. It is contended no narcotic substance was recovered from his possession.

Learned Counsel appearing for the State opposes the prayer for bail.

We have considered the materials on record. No recovery was effected from the possession of the petitioner. Keeping in mind the extent of complicity of the petitioner in the alleged crime, we are of the opinion that the petitioner has been able to rebut the statutory restrictions under Section 37 of the N. D. P. S. Act and he may be granted bail.

Accordingly, the petitioner, namely, Kailash Pramanick shall 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 Judge. Special Court under the N. D. P. S. Act at Krishnanagar, Nadia subject to condition that the petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses 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 his bail in accordance with law without further reference to this Court.

The application is accordingly disposed of.

(Bivas Pattanayak,J.)

(Joymalya Bagchi, J.)