

26.04.2022

Sl. 51

Court No.29

suvayan

(Allowed)

C.R.M. (NDPS) 330 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Domkal** P.S. Case No. **72 of 2022** dated **05/02/2022** under Sections **21(C)/29** of the Narcotic Drugs and Psychotropic Substances Act.

And

In the matter of: Raju Sekh @ Raja Sekh @ Raja Sk

....petitioner

Mr. G. N. Imrohi

...for the petitioner.

Mr. Sanjoy Bardhan

Ms. Baishakhi Chatterjee

...for the State.

Report as called for by the order dated March 31, 2022 filed in Court be taken on record.

On the prayer made on behalf of the petitioner, learned Advocate appearing for the petitioner is granted leave to correct the cause title.

Considering the fact that no recovery was made from the possession of the petitioner and considering the fact that the police at this stage are unable to establish any nexus between the petitioner and the person arrested with the commercial quantity of narcotic, 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. 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 Judge, Special Court under the NDPS Act, 5th Court, Berhampore, Murshidabad 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.

The application for bail being C.R.M. (NDPS) 330 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)