

11.04.2022
Serial no. 42
Aloke
Ct. No. 29

CRM (NDPS) 368 of 2022

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 06.04.2022 in connection with Hariharpara P.S. Case No. 33 of 2022 dated 17.01.2022 under Sections 20(b)(ii)(B)/29 of the NDPS Act.

-And-

In the matter of : Hasibur Sk. & Anr.

... ..Petitioners

Mr. Raju Mondal, Advocate

Mr. S.A. Munshi, Advocate

... .. For the Petitioners

Mr. Binay Panda, Advocate

Ms. Puspita Saha, Advocate

... ..For the State

Petitioners pray for bail.

Considering the fact that the narcotic seized from the joint possession of the petitioners is below the commercial quantity and considering the fact that the police filed charge-sheet and considering the period of detention of the petitioners i.e. 84 days, we are inclined to grant bail to the petitioners.

Accordingly, we direct that the petitioners shall 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 NDPS Act, Berhampore, Murshidabad, subject to condition that petitioners shall appear before the learned trial court on every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.

In the event, the petitioners fail to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel the bail of the petitioners in accordance with law without further reference to this Court.

The prayer for bail is allowed.

CRM (NDPS) 368 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)