

37 13.04.2022
AD Ct. No.29
(Allowed)

C.R.M. (NDPS) 375 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Special /NDPS Case No.19 of 2022** arising out of **Habibpur** P.S. Case No.**28 of 2022** dated **23/01/2022** under Sections **20(b)/29** of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of: Pintu Mandal & Anr.

....petitioners.

Mr. Kalidas Saha

...for the petitioners.

Mr. Saibal Bapuli, Ld. APP

Mr. Bibaswan Bhattacharya

...for the State.

Petitioners seek bail.

Learned Advocate appearing for the petitioners submits that the recovery is below the commercial quantity. The petitioners are in custody since January 23, 2022. The police submitted charge sheet and, therefore, further detention of the petitioners is not required.

Learned Advocate appearing for the State draws the attention of the Court to the materials in the case diary.

Considering the fact that narcotics below the commercial quantity was seized and considering the fact that the police submitted charge sheet and considering the period of detention of the petitioners, we grant bail to the petitioners.

Accordingly, the petitioners 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, Malda, subject to the condition that during bail the petitioners

shall appear before the learned trial court on every date of hearing and that the petitioners shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioners fail 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) 375 of 2022** is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)