

27.04.2022

Sl. 50

Court No.29

suvayan

(Allowed)

C.R.M. (NDPS) 424 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Maidan** P.S. case No. **15 of 2022** dated **12/02/2022** under Section **21(b)** of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of: Rahamat Sekh

....petitioner

Mr. Debarshi Brahma

...for the petitioner.

Mr. Saryati Datta

...for the State.

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the petitioner is custody for 74 days. The police filed charge-sheet. The recovery is shown below the commercial quantity.

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

Considering the fact that the seizure shown as against the petitioner is below the commercial quantity the provisions of Section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985 are not attracted.

Considering the period of detention of the petitioner and considering the fact that the police filed charge-sheet, we grant bail to the petitioner.

Accordingly, the petitioner be released on bail upon furnishing a Bond of Rs.10,000/- (Rupees Ten Thousand Only) 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, Kolkata 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) 424 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)