

28.04.2022

Serial no. 46

[Dd]

(Bail **allowed**)

CRM (NDPS) 431 of 2022

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Suti** Police Station Case No. **550** of **2021** dated **16.12.2021** under Sections **21(a)/29** of the Narcotic Drugs and Psychotropic Substances Act, 1985. [corresponding to **NDPS 283 of 2021**]

-And-

In the matter of : Habib Sk.

... .. Petitioner

Mr. Maidul Islam Kayal, Advocate

... .. For the Petitioner

Mr. Sanjoy Bardhan,

Ms. Baishakhi Chatterjee, Advocates

... ..For the State

Considering the period of detention of the petitioner and considering the fact that another co-accused was enlarged on bail and considering the fact that police filed charge sheet and considering the fact that narcotic of below commercial quantity was recovered, we are inclined to grant bail to the petitioner.

Accordingly, we direct that the petitioner shall 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 NDPS Act, Berhampore, Murshidabad** subject to condition that the petitioner 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 petitioner fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel the bail of the petitioner in accordance with law without further reference to this Court.

The prayer for bail of the petitioner is **allowed**.

CRM (NDPS) 431 of 2022 is **disposed of**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)