

05.05.2022

Serial no. 50

[Dd]

(Bail **allowed**)

CRM (NDPS) 449 of 2022

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **NDPS** Case No. **60/2022** arising out of **Raghunathganj** Police Station Case No. **90** of **2022** dated **20.02.2022** under Sections **21(a)/29** of the Narcotic Drugs and Psychotropic Substances Act.

-And-

In the matter of : Jamal Sk @ Jamal Shaikh @ Jamal

... .. Petitioner

Mr. Tapodip Gupta, Advocate

... .. For the Petitioner

Mr. Saryati Datta, Advocate

... ..For the State

Petitioner prays for bail.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 74 days. The police filed charge sheet and, therefore, further detention of the petitioner is not required.

Learned advocate appearing for the State submits that the petitioner was arrested with 23 grams of heroin from his possession.

Considering the quantity of narcotic seized from the possession of the petitioner and considering the period of detention of the petitioner and considering the fact that police filed charge sheet, 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, cum-ADJ, 5th Court, 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) 449 of 2022 is **disposed of**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)