

CRM (NDPS) 461 of 2022

10.05.2022
Sl. 48
Court No.29
(sourav)
(Allowed)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with NCB Crime No. **75/NCB/KOL/2021** dated **25.09.2021** under Sections **9A** read with Sections **25A/29** of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of: **Devjit Gupta**

....petitioner.

Mr. Sandipan Ganguly
Mr. Arindam Dey
Mr. Smarajit Basu
Mr. Amartya Dan

...for the petitioner.

Mr. Somnath Adhikary

... for the Narcotics Control Bureau.

Petitioner prays for bail.

Learned advocate appearing for the petitioner submits that the substance alleged to be seized from the possession of the petitioner is at best a controlled substance. The petitioner is in custody for 225 days. The police filed charge-sheet and, therefore, further detention of the petitioner is not required.

Learned advocate appearing for the Narcotics Control Bureau submits that the petitioner was in conscious possession of the controlled substance.

Considering the period of detention of the petitioner and considering the fact that the NCB seized controlled substance, we grant bail to the petitioner.

Accordingly, the petitioner be released on bail upon furnishing a Bond of Rs. 10,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Special Judge, (under NDPS Act), Barasat, North 24

Parganas subject to the condition that during bail the petitioner shall appear before the learned trial court on every date of hearing and 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 **CRM (NDPS) 461 of 2022** is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

