

12.05.2022

Serial no. 40

[Dd]

(Bail **allowed**)

CRM (NDPS) 462 of 2022

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Bizpur** Police Station Case No. **219** of **2021** dated **23.05.2021** under Sections **8(c)/21(b)** of the NDPS Act, now numbered as **N-40/2021**.

-And-

In the matter of : Ramprasad Kundu

... .. Petitioner

Mr. Debasis Kar, Advocate

... .. For the Petitioner

Mr. Sudip Ghosh,

Mr. Bitasok Banerjee, Advocates

... ..For the State

Petitioner seeks bail.

Learned advocate appearing for petitioner submits that the petitioner is in custody in excess of 1 year. The police filed charge sheet and therefore, further detention of the petitioner is not required. Only 22 grams of heroin was seized from the joint possession of the petitioner.

Learned advocate appearing for the State does not dispute the contention that only 22 grams of heroin was recovered from the joint possession of the petitioner.

Considering the quantum of narcotic seized from the joint possession 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, Barrackpore**, 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) 462 of 2022 is **disposed of**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)