

15.06.2022.  
09.  
Ct.No.28.  
as  
(Allowed)

**C.R.M. (NDPS) 607 of 2022**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.22 of 2021 arising out of Hirapur P. S. Case No.199 of 2021 dated 10.08.2021 under Sections 21(b)/28/29 of the N.D.P.S. Act.

In the matter of : Surjyakanta Paul @ Choton.  
.... Petitioner.

Mr. Avik Ghatak,  
Mr. Saibal Kr. Dasgupta.  
...for the Petitioner.

Mr. Sanjoy Bardhan,  
Ms. Debjani Dasgupta.  
...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Having considered the materials on record and bearing in mind the quantity of narcotic substance seized i.e. 20 gms. of heroin which is below commercial quantity and keeping in mind the period of detention suffered by the petitioner i.e. 309 days, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner shall 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 Judge, Special Court under N.D.P.S. Act, Asansol subject to condition that the petitioner shall appear before the trial court on every date of hearing until further orders and

shall not intimidate witnesses 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 his bail in accordance with law without further reference to this Court.

This application for bail is, thus, disposed of.

**(Ananya Bandyopadhyay, J.)**

**(Joymalya Bagchi, J.)**