

16.06.2022.
06.
Ct.No.28.
as
(Allowed)

C.R.M. (NDPS) 627 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with N Case No.119 of 2020 arising out of Bidhannagar South P.S. Case No.106 of 2019 dated 06.08.2019 under Sections 21(C) of the N.D.P.S. Act.

In the matter of : Aman Verma & Anr.

.... Petitioners.

Mr. Angshuman Chakraborty.

...for the Petitioners.

Mr. Rudradipta Nandy, Id. A.P.P.,
Mrs. Sonali Das.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioners are in custody for about two years and ten months. He further submits co-acuseds have been enlarged on bail by the Hon'ble Apex Court in Special Leave to Appeal (Crl.) No.1710 of 2022.

Learned Additional Public Prosecutor opposes the prayer for bail and submits 5,000 and 15,000 bottles of phensedyl syrup were recovered from the possession of the petitioner Nos.1 and 2 respectively.

We have considered the materials on record. Initial seizure was effected to the tune of 15,000 bottle of phensydel syrup from the possession of the petitioner no.2 and one Babu at Salt Lake. On the basis of their statements another seizure

of contrabands was effected at Airport from petitioner no.1 and two others viz., Md. Asin and Md. Rabbani Mallick, both of whom have been enlarged on bail.

From the materials on record it appears petitioners have been charged with conspiracy in dealing with narcotic substance above commercial quantity with co-accuseds who have been enlarged on bail by the Hon'ble Apex Court. Keeping in mind the aforesaid fact and the period of detention suffered by the petitioners i.e. two years and ten months, we are of the opinion they may be granted bail.

Accordingly, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each 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, Barasat, North 24-Paraganas subject to condition that they 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 petitioners fail to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel their 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.)

