

08.07.2022
cm/ct 28
sl no. 3

C.R.M. (NDPS) 749 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Sagardighi P.S. Case No. 154 of 2022 dated 24.04.2022 under Sections 20(b)(ii)/29 of the NDPS Act.

Allowed

In Re : Hitlar Sha

..... petitioner

Mr. Diptendu Banerjee
Ms. Pinky Sarkar

..... for the petitioner

Mr. Suman De
Mr. Parvej Anam

..... for the State

We have considered the materials on record. Quantity of narcotic substance alleged to be recovered from the petitioner which is below commercial quantity i.e. 5 Kg. of ganja. Keeping in mind the aforesaid fact and the period of detention suffered by the petitioner i.e. 75 days, we are inclined to 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 Judge, Special Court under NDPS Act, Berhampore, Murshidabad on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application being CRM(NDPS) No. 749 of 2022 is disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)