

12.07.2022
Sl. No.9
akd
[ALLOWED]

C. R. M. (NDPS) 762 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 05.07.2022 in connection with Bishnupur Police Station Case No. 41 of 2022 dated 12.04.2022 under Section 21(b) of the NDPS Act.

And

In Re: **Babai Das @ Chutka**

... .. Petitioner

Mr. Soumik Ganguli

... .. for the petitioner

Mr. Sanjay Bardhan
Ms. Baisakhi Chatterjee
Mr. M. Sarkar

... .. for the State

It is submitted on behalf of the petitioner he is in custody for about 91 days. It is further submitted petitioner has been falsely implicated in the instant case.

Learned advocate appearing for the State opposes the prayer for bail.

Having considered the nature of allegations involving alleged possession of 8 gms. of *Heroin*, which is below commercial quantity from the petitioner and the period of detention suffered by him, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely **Babai Das @ Chutka**, be released on bail upon furnishing 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 Additional Sessions Judge, 1st Court, Bankura cum (Special Court) under the NDPS Act, 1985, subject to condition that the said 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 or commit similar offences in future.

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 for bail, thus, stands **allowed**.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)