

15.07.2022

14
sdas
Allowed

C.R.M. (NDPS) 792 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with New Barrackpore Police Station Case No. 74 of 2022 dated 14.03.2022 under Section 20(b)(ii) of the NDPS Act.

And

In Re : Dhuna Gagi @ Dhuna Gaji @ Dhuna Gazi petitioner

Mr. Kallol Mondal

Mr. Krishan Ray

.....for the petitioner

Mr. Sanjoy Bardhan

Mr. M. Sarkar

....for the State

Having considered the materials on record and bearing in mind the nature of allegations i.e. recovery of 10.3 kgs. of Ganja, which is below commercial quantity and in view of period of detention suffered by the petitioner i.e. 124 days, we are inclined to grant bail to him.

Accordingly we direct that 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 NDPS Act, Barrackpore, North 24 Parganas, subject to condition that the petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)