

18.07.2022.
08.
Ct.No.28.
as
(Allowed)

C.R.M. (NDPS) 798 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Special Case No.117 of 2021 arising out of Kaliachak P. S. Case No.1206 of 2021 dated 29.10.2021 under Sections 21(b)/27A/29 of the N.D.P.S. Act and charge sheet submitted under Section 21(b)/29 of the NDPS Act.

In the matter of : Asim Mandal.

.... Petitioner.

Ms. Minoti Gomes.

...for the Petitioner.

Mr. Sanjoy Bardhan,
Ms. M. Sarkar.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner is in custody for about 45 days. Investigation is complete.

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

We have considered the materials on record. Keeping in mind the nature of allegation involving possession of narcotic substance below commercial quantity i.e. 100 grams of brown sugar i.e. heroin and as investigation is complete, 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, Malda 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.)