

20.07.2022
Sl. No.11
akd
[ALLOWED]

C. R. M. (NDPS) 806 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 15.07.2022 in connection with Sagardighi Police Station Case No. 189 of 2022 dated 10.05.2022 under Sections 20(ii)(b)(2)/29 of the NDPS Act. (NDPS Case No.118 of 2022)

And

In Re: ***Md. Ikbāl Kabir @ Miltan Sk. & Anr.***

... .. Petitioners

Mr. Jisan Iqbal Hossain

... .. for the petitioners

Mr. Ranadeb Sengupta

... .. for the State

It is submitted on behalf of the petitioners they are in custody for about 62 days.

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

Having considered the materials on record and keeping in mind the nature of allegations involving recovery of narcotic substance i.e. 6 kgs. of *Ganja*, which is below commercial quantity from the joint possession of the petitioners and in view of the period of detention suffered by them, we are of the opinion further detention of the accused/petitioners is not necessary.

Therefore, the accused/petitioners, namely ***(1) Md. Ikbāl Kabir @ Miltan Sk. & (2) Samiruddin Biswas @ Kajol Sk.***, be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten thousand only) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Judge, Special Court under the NDPS Act, 1985, Berhampore, Murshidabad subject to condition that the said petitioners 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 they fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail automatically without reference to this court.

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

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)