

28.07.2022
Sl. No.17
akd
[ALLOWED]

C. R. M. (NDPS) 850 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 20.07.2022 in connection with Balurghat Police Station Case No. 430 of 2018 dated 04.12.2018 under Sections 20(b)/27A of the NDPS Act.

And

In Re: **Chandan Roy**

... .. Petitioner

Mr. Kaushik Chaudhury
Ms. Busra Khatun

... .. for the petitioner

Mr. Binay Panda
Mrs. Puspita Saha

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 54 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 and submits petitioner had absconded for a period of time.

We have considered the materials on record. Bearing in mind the nature of accusations relating to recovery of narcotic substance i.e. 7 kgs. of *Ganja*, which is below commercial quantity and the period of detention suffered by the petitioner, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely **Chandan Roy**, 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 Judge, Special Court under the NDPS Act, 1985, Balurghat, Dakshin Dinajpur 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 and on further condition that the petitioner, while on bail, shall not leave the jurisdiction of Balurghat Police Station except for the purpose of investigation and/or for attending court proceedings and shall report to the Officer-in-charge, Balurghat Police Station once in a week until further orders.

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.)