

01.08.2022
cm/ct 28
sl no. 7

C.R.M. (NDPS) No. 864 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with **Durgapur P.S Case No. 164 of 2022** dated **12.04.2022** under Sections **20(b)(ii)(B)** of the Narcotic Drugs and psychotropic Substances Act, 1985.

And

Allowed

In Re : Jhantu Dhara @ Jhontu Dhara

..... petitioner

Mr. Avik Ghatak

Mr. Fahad Imam

..... for the petitioner

Mr. Saibal Bapuli, Ld. A.P.P.

Mr. Bibaswan Bhattacharya

..... for the State

Heard learned advocates appearing for the parties.

We have considered the materials on record. Accusation in the case relates to recovery of narcotic substance i.e. 10 kgs. 800 gms. of Ganja which is below commercial quantity. Balancing the nature of accusation with the period of detention already suffered by the petitioner i.e. 110 days and as investigation is complete, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner 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, Asansol, Paschim Bardhaman on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event petitioner 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 being CRM(NDPS) No. 864 of 2022 is disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)