

02.08.2022
Sl. No.7
akd
[ALLOWED]

C. R. M. (NDPS) 867 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 27.07.2022 in connection with Bishnupur Police Station Case No. 41 of 2022 dated 12.04.2022 under Section 21(b) of the NDPS Act. (NDPS Case No.18 of 2022)

And

In Re: **Rahul Sekh @ Samirul**

... .. Petitioner

Mr. Soumik Ganguli
Ms. Chandana Chakraborty

... .. for the petitioner

Mr. Madhusudan Sur .. Id. Addl. Public Prosecutor
Mr. Dipankar Pramanick

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 122 days. It is further submitted co-accused has been enlarged on bail.

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

We have considered the materials on record. Accusation relates to recovery of narcotic i.e. 8 gms. of *Heroin*, which is below commercial quantity from the petitioner and co-accused. Co-accused has been enlarged on bail. Under such circumstances, we are inclined to extend the same privilege to the petitioner also.

Therefore, the accused/petitioner, namely **Rahul Sekh @ Samirul**, 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, Bankura 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.

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.)