

03.08.2022
Sl. No.8
akd
[ALLOWED]

C. R. M. (NDPS) 882 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 29.07.2022 in connection with Chinsurah Police Station Case No. 215 of 2022 dated 05.05.2022 under Section 20(b)(ii)(B)/29 of the NDPS Act. (NDPS Case No.13 of 2022)

And

In Re: ***Bijay Jaiswal***

... .. Petitioner

Md. Bani Israil
Mr. Kanchan Gupta

... .. for the petitioner

Mr. Saibal Bapuli .. Id. Addl. Public Prosecutor
Mr. Bibaswan Bhattacharya

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 90 days.

Learned Additional Public Prosecutor opposes the prayer for bail.

We have considered the materials on record. Allegation relates to recovery of narcotic i.e. 29 gms. of *Heroin*, which is below commercial quantity from the petitioner. In view of the aforesaid fact and the period detention suffered by the petitioner, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely ***Bijay Jaiswal***, 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, Chinsurah, Hooghly 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.)