

05.08.2022
Sl. No.7
akd
[ALLOWED]

C. R. M. (NDPS) 891 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 01.08.2022 in connection with Kulti Police Station Case No. 333 of 2022 dated 29.05.2022 under Sections 21(b)/29 of the NDPS Act. (NDPS Case No.15 of 2022)

And

In Re: **Raj Rajak**

... .. Petitioner

Mr. Ayan Bhattacharyya
Mr. Kunal Ganguly

... .. 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 69 days.

Learned Additional Public Prosecutor opposes the prayer for bail.

We have considered the materials on record. Allegation relates to recovery of narcotic substance i.e. 6 gms. of *Heroin*, which is below commercial quantity from the petitioner. In view of the aforesaid fact, period of detention suffered by the petitioner and as investigation is complete, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely **Raj Rajak**, 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-cum-Additional District & Sessions Judge, 3rd Court, Asansol, Paschim Bardhaman 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.)