

10.08.2022.
10.
Ct.No.28.
as
(Allowed)

C.R.M. (NDPS) 905 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.31 of 2022 arising out of Hogalberia P. S. Case No.162 of 2022 dated 12.05.2022 under Section 20(b)/22 of the N.D.P.S. Act.

In the matter of : Mahasin Sk @ Mahasen & Anr.
.... Petitioners.

Mr. Sumanta Das.
...for the Petitioners.

Mr. Sudip Ghosh,
Mr. Apurba Kr. Datta.
...for the State.

Heard the learned Counsels appearing on behalf of the parties.

We have considered the materials on record. Allegation against the petitioners relates to recovery of 18 kgs. of ganja which is below commercial quantity. Keeping in mind the nature of accusation and the period of detention suffered by the petitioners i.e. 89 days, we are inclined to grant bail to the petitioners.

Accordingly, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Judge, Special Court under N.D.P.S. Act, Krishnanagar, Nadia subject to condition that the 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.

In the event the petitioners fail to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

Investigating Officer is directed to submit report before the court below at the earliest.

This application for bail is, thus, disposed of.

(Ananya Bandyopadhyay,J.)

(Joymalya Bagchi, J.)