

12.08.2022
cm/ct 28
sl no. 6

C.R.M. (NDPS) No. 914 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Sagarpara Police Station Case No. 74 of 2020 dated 02.09.2020 under Sections **22 (c)/29** of the Narcotic Drugs and Psychotropic Substances Act.

And

Allowed

In Re : Amrul Sarkar

..... petitioner

Ms. Minoti Gomes
Mr. Jisan Iqubal Hossain

..... for the petitioner

Mr. Saryati Datta

..... for the State

Learned lawyer for the petitioner submits no narcotic substance was recovered from the possession of the petitioner. Co-accused has been granted bail.

Learned lawyer for the State produces the case diary.

We have considered the materials on record. No narcotic substance was recovered from the possession of the petitioner. His complicity has transpired from the statement of co-accused before a police officer which is inadmissible in evidence. Hence, we are of the opinion that petitioner has been able to rebut the statutory restrictions under Section 37 of the NDPS Act and he may be granted bail.

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, Murshidabad at Berhampore 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.

The application being CRM(NDPS) No. 914 of 2022 is disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)