

CRM 8428 of 2021
(via video conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure ;

And

In Re : Sagar Sarkar

.....Petitioner

Mr. Sumanta Das

.....for the Petitioner

Mr. Partha Pratim Das

Ms. Manasi Roy

.....for the State

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioner in connection with Bhimpur P.S. Case No. 98/2021 dated 12/04/2021 under Section 21(b) of the Narcotic Drugs and Psychotropic Substances Act.

Heard the learned advocates appearing for the respective parties and considered the materials in the case diary. It appears that an intermediate quantity of contraband substance was recovered from the possession of the petitioner. Upon completion of investigation, charge sheet has also been submitted and in view thereof, further detention of the petitioner, who is in custody for about 281 days, is not necessary.

Accordingly, we allow this application and direct that the petitioner, namely, **Sagar Sarkar**, shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be a local, to the satisfaction of the learned Special Judge under the NDPS Act, Krishnagar, Nadia. The petitioner shall attend the learned Court below on all

the dates, as specified for hearing and shall not intimidate the witnesses or tamper with evidence in any manner whatsoever.

It is made clear that in the event the petitioner fail to comply with the aforesaid directions without any justifiable cause, the learned trial court would be at liberty to cancel his bail without any further reference to this Court.

With the aforesaid observations, the application for bail, being CRM No. 8428 of 2021, is disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Ajoy Kumar Mukherjee, J.)

(Tapabrata Chakraborty, J.)