

17.01.2022
tkm/ct 32
sl no. 26

C.R.M. 8431 of 2021
(Via video conference)

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Gangarampur P.S Case no. 201 of 2020 dated 24.6.2020 under sections 22(c)/23(c)/27A/28/29 of the NDPS Act
And

Allowed

In Re : Ajar Ali @ Ajgar Ali petitioner

Mr. Kaushik Choudhury
..... for the petitioner

Mr. R D Nandy
Mr. Antarikhya Basu
..... for the State

Having heard the learned advocates and considering the materials in the case diary, it appears that no contraband substance above commercial quantity was recovered from the possession of the petitioner and that his name has transpired on the basis of statement of co-accused persons. In view thereof, the rigours of Section 37 of the NDPS Act are not attracted. Furthermore, upon completion of investigation, charge sheet has been submitted. In view thereof, further detention of the petitioner who is in custody for about 132 days, is not necessary.

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 Special Judge (Under NDPS Act)-cum-Additional District and Sessions Judge, 3rd Court, Dakshin Dinajpur.

It is further directed that the petitioner shall attend the learned court below on all the dates specified for hearing and shall

not intimidate witnesses or tamper with evidence in any manner whatsoever.

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

The application being CRM 8431 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.)