

07.09.2022
Sl. No.10
akd
[ALLOWED]

C. R. M. (NDPS) 1018 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 01.09.2022 in connection with Swarupnagar Police Station Case No.1064 of 2021 dated 16.12.2021 under Section 22(c) of the NDPS Act.

And

In Re: ***Ibrahim Mondal***

... .. Petitioner

Mr. Shashanka Shekhar Saha

... .. for the petitioner

Mr. Saryati Datta

... .. for the State

Petitioner renews his prayer for bail.

Chemical report is placed on record. Chemical Examiner's report states as follows :-

Examination Report No.: CFSL (H)/90-91/NAR/18-19/2022

12. Results of Examination

The Exhibit was analyzed by Colour tests and Gas Chromatography- Mass spectrometry (GC-MS) methods. Based on the above methods, the results obtained are given below :

Methamphetamine, Amphetamine, MDMA, Mephedrone, Heroin, Morphine, Codeine, Cocaine, Ephedrine and Caffeine have not been detected in the Exhibit-B.

In view of the aforesaid exonerative report, we are of the opinion that the petitioner has been able to rebut the statutory restrictions under Section 37 of the NDPS Act and may be enlarged on bail.

Therefore, the accused/petitioner, namely ***Ibrahim Mondal***, 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-cum-Additional Sessions Judge, 6th Court, Barasat, North 24-Parganas 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**.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)