

12.09.2022
Sl. No.7
akd
[ALLOWED]

C. R. M. (NDPS) 1031 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 06.09.2022 in connection with Raghunathganj Police Station Case No.508 of 2022 dated 17.06.2022 under Sections 21(b)/29 of the NDPS Act. (NDPS Case No.151 of 2022)

And

In Re: **Aklesur Rahaman**

... .. Petitioner

Mr. Jisan Iqbal Hossain
Ms. Rinita Das

... .. for the petitioner

Mr. Sudip Ghosh
Mr. Bitasok Banerjee

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 87 days. Investigation is complete.

Learned advocate appearing for the State opposes the prayer for bail.

We have considered the materials on record. Alleged recovery of narcotic substance from the petitioner is to the tune of 150 gms. of *Heroin*, which is below commercial quantity. Keeping in mind the nature of allegation, period of detention suffered by the petitioner and as investigation is complete, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely **Aklesur Rahaman**, 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, 1985, Berhampore, Murshidabad 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 any 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.)