

07.11.2022
Sl. No.6
akd
[ALLOWED]

C. R. M. (NDPS) 1051 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 09.09.2022 in connection with Gangarampur Police Station Case No. 595 of 2016 dated 26.11.2016 under Sections 22/25/27 of the NDPS Act.

And

In Re: **Manik Roy & Anr.**

... .. Petitioners

Ms. Busra Khatoon

... .. for the petitioners

Mr. Sudip Ghosh

Mr. Apurba Kumar Dutta

... .. for the State

It is submitted on behalf of the petitioners that they are 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. Allegations involve cultivation of *Ganja*. Keeping in mind the facts and circumstances of the case, period of detention suffered by the petitioners and as investigation is complete, we are of the opinion further detention of the accused/petitioners is not necessary.

Therefore, the accused/petitioners, namely **(1) Manik Roy & (2) Prodip Roy @ Pradip Roy**, be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten thousand only) each, 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 District Judge, 3rd Court, Balurghat, Dakshin Dinajpur subject to condition that the said petitioners 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 they fail to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel their bail automatically without reference to this court.

The application for bail, thus, stands **allowed**.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)