

11.11.2022
Sl. No.5
akd
[ALLOWED]

C. R. M. (NDPS) 1158 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 21.09.2022 in connection with Gangarampur Police Station Case No. 587 of 2016 dated 24.11.2016 under Sections 22/25/27 of the NDPS Act.

And

In Re: **Sahadeb Roy**

... .. Petitioner

Ms. Jeenia Rudra

... .. for the petitioner

Mr. Saryati Datta

... .. for the State

It is submitted on behalf of the petitioner that he is not the owner of the land where *Ganja* was cultivated.

In view of such submission, report was called for.

Report is placed on record. From the report it appears that the land records do not show the petitioner is the owner of the land concerned.

Under such circumstances, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely **Sahadeb Roy**, 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-cum-Additional District Judge, 3rd Court, Balurghat, Dakshin Dinajpur 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.)