

29.09.2022.
25
Ct.No.28.
as
(Allowed)

C.R.M. (NDPS) 1147 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.158 of 2022 arising out of Kaliachak P. S. Case No.544 of 2020 dated 11.07.2020 under Section 27 of the Drugs & Cosmetics Act read with Sections 14(A)/14(B)/14(C) of the Foreigners Act and added Section 21 (c) of the NDPS Act.

In the matter of : Gour Singha @ Rohan Singha @
Dabbu @ Gourchand Singha.
.... Petitioner.

Mr. K. Saha.
...for the Petitioner.

Mr. S. Das.
...for the State.

Petitioner was granted pre-arrest bail. However, he failed to appear before the court below and pray for regular bail. He was finally arrested in August, 2022. He is in custody for 38 days. He prays for bail.

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

We have considered the materials on record. No narcotic substance was recovered from the possession of the petitioner. On merits he was granted pre-arrest bail. Due to his indolent conduct he was arrested.

Under such circumstances, we are inclined to grant bail to the petitioner, however, subject to strict conditions.

Accordingly, the petitioner shall 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 Judge, Special Court under N.D.P.S. Act, Malda vsubject to condition that he 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 and on further condition petitioner while on bail shall remain within the jurisdiction of Kaliachak Police Station except for the purposes of investigation and/or attending court proceeding and report to the Officer-in-charge of Kaliachak Police Station once in a week until further orders.

In the event the petitioner fails to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

This application for bail is, thus, disposed of.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)