

60. 18.10.2022
Ct.29 Tanmoy/TN

Allowed

CRM (NDPS) 1243 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with Narcotic Case No. 87 of 2022 arising out of Noapara Police Station Case No. 271 of 2022 dated 18.08.2022 under Sections 21(b)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 read with Section 25(1)A of the Arms Act.

And

In the matter of: - **Suraj Shaw @ Surja**

...petitioner.

Mr. Sabyasachi Mukherjee

...for the petitioner.

Mr. Sudip Ghosh,
Mr. Bitasok Banerjee

...for the State.

Petitioner prays for bail.

Learned Advocate appearing for the petitioner submits that the co-accused persons were enlarged on bail. The Police filed charge-sheet. The petitioner is in custody for about 62 days.

Learned Advocate appearing for the State submits that narcotics below commercial quantity were seized from the possession of the petitioner. Two cartridges (live ammunition) were also seized from the possession of the petitioner. The Police filed charge-sheet with regard to the Narcotic Drugs and Psychotropic Substances Act, 1985.

Since reports are awaited with regard to the firearms, charge-sheet under the Arms Act is yet to be submitted.

Considering the period of detention of the petitioner and considering the fact that the Police filed charge-sheet and

considering the fact that the narcotics seized from the possession of the petitioner which are below commercial quantity, we grant bail to the petitioner.

Accordingly, the petitioner, *viz.*, Suraj Shaw @ Surja, 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 Additional Chief Judicial Magistrate, Barrackpore, subject to the 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 that the petitioner while on bail shall remain within the jurisdiction of Noapara Police Station except for the purpose of investigation and/or attending Court proceeding and report to the Officer-in-Charge of Noapara Police Station once in a week until further orders.

In the event the petitioner fails to comply with the conditions as enshrined hereinbefore, the trial Court shall be at liberty to cancel the bail of the petitioner in accordance with law without further reference to this Court.

The application for bail being CRM (NDPS) 1243 of 2022 is, thus, allowed and disposed of.

(Debangsu Basak, J.)

(Ajay Kumar Gupta, J.)