

03.11.2022.
29.
Ct.No.28.
as
(Allowed)

C.R.M. (NDPS) 1293 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.08 of 2021 arising out of Kulti P. S. Case No.263 of 2021 dated 07.06.2021 under Sections 21(b) of the NDPS Act and charge sheet submitted under Section 21(b) of the NDPS Act.

In the matter of : Munna Ansari.

.... Petitioner.

Mr. S. S. Roy,
Mr. Debapriya Samanta.

...for the Petitioner.

Mr. Sanjoy Bardhan,
Ms. Baishakhi Chatterjee.

...for the State.

Heard the learned Lawyers for the parties.

Petitioner is in custody for 46 days. Investigation is complete. No narcotic substance was recovered from his possession. Co-accuseds are on bail.

Under such circumstances, we are of the opinion that the petitioner has been able to rebut the statutory restrictions under Section 37 of the N. D. P. S. Act and he may be granted bail.

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, Paschim Bardhaman, Asansol subject 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.

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.)