

15.11.2022
Sl. No.4
akd
[ALLOWED]

C. R. M. (NDPS) 1327 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 04.11.2022 in connection with North Port Police Station Case No. 38 of 2022 dated 22.06.2022 under Sections 20(b)(ii)(B)/29 of the NDPS Act. (NDPS Case No.25 of 2022)

And

In Re: ***Bablu Sk. & Anr.***

... .. Petitioners

Mr. Shataroop Purukayastha
Mr. Hamidur Rahaman

... .. for the petitioners

Mr. Ranadeb Sengupta

... .. for the State

It is submitted on behalf of the petitioners that they are in custody for about 146 days. Investigation is complete.

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

We have considered the materials on record. Quantity of narcotic substance recovered from the petitioners is to the tune of 16.810 kgs. of *Ganja*, which is below commercial quantity. In view of the aforesaid facts and the period of detention suffered by the petitioners, we are of the opinion further detention of the accused/petitioners is not necessary.

Therefore, the accused/petitioners, namely ***(1) Bablu Sk. & (2) Abu Hasan @ Kalu***, 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, Bench-I, Special Court under the NDPS Act, City Sessions Court, Calcutta 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.)