

14.11.2022.
09.
as
(Allowed)

C.R.M. (NDPS) 1329 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with N Case No.90 of 2022 arising out of New Barrackpore P. S. Case No.328 of 2022 dated 05.09.2022 under Sections 20(b)(ii)(B)/29 of the NDPS Act.

In the matter of : Ruma Das & Anr.

.... Petitioners.

Mr. Angshuman Chakraborty.

...for the Petitioners.

Mr. Saryati Datta.

...for the State.

Petitioners are in custody for 70 days. It is submitted they have been falsely implicated in the instant case.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Quantity of narcotic substance recovered from the possession of the petitioners is to the tune of 15.742 kgs. of ganja. This is below the commercial quantity.

In view of the aforesaid circumstance, we are inclined to grant bail to the petitioners.

Accordingly, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each 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, Barrackpore, North 24-Paraganas subject to condition that they 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 petitioners fail to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel their bail in accordance with law without further reference to this Court.

The application for bail is, thus, disposed of.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)