

18.11.2022.
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as
(Allowed)

C.R.M. (NDPS) 1345 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS 64 of 2022 arising out of Baruipur P.S. Case No.1407 of 2022 dated 22.08.2022 under Sections 20(b) of the NDPS Act.

In the matter of : Abu Hossain Mondal @ Habu.
.... Petitioner.

Mr. Angshuman Chakraborty,
Mr. S. S. Saha.
...for the Petitioner.

Mr. Saryati Datta.
...for the State.

Petitioner is in custody for 89 days. He prays for bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Quantity of narcotic substance seized is to the tune of 9.157 kgs. of ganja. This is below the commercial quantity.

Under such circumstances and in view of the nature of allegations, we are inclined to grant bail to the petitioner.

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 the NDPS Act, Alipore, South 24-Paraganas subject to condition 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.

The application for bail is, thus, disposed of.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)