

22.11.2022
Sl. No.9
akd
[ALLOWED]

C. R. M. (NDPS) 1351 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 16.11.2022 in connection with Islampur Police Station Case No. 387 of 2022 dated 25.08.2022 under Section 21(c)/29 of the NDPS Act and subsequently charge sheet submitted under Sections 21(b)(ii)(B)/29 of the NDPS Act. (NDPS Case No.190 of 2022)

And

In Re: **Sohail Rana @ Rana**

... .. Petitioner

Mr. Tapodip Gupta

... .. for the petitioner

Mr. Sanjay Bardhan
Mr. Palash Ch. Majhi

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 85 days.

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 petitioner is below commercial quantity. In view of the aforesaid fact and period of detention suffered by the petitioner, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely **Sohail Rana @ Rana**, be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten thousand only), 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-cum-Additional District Judge, 2nd Court, Berhampore, Murshidabad subject to condition that the said petitioner 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 he fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application for bail, thus, stands **allowed**.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)