

23.11.2022.
21.
Ct.No.28.
as
(Allowed)

C.R.M. (NDPS) 1371 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Special Case No.33 of 2018 arising out of Gangarampur P. S. Case No.590 of 2016 dated 25.11.2016 under Sections 22/25/27 of the NDPS Act and charge sheet submitted under Sections 22/25/27 of the NDPS. Act.

In the matter of : Pailot Tudu @ Pailot Murmu.

.... Petitioner.

Ms. Busra Khahtoon.

...for the Petitioner.

Mr. Saibal Bapuli, Id. A.P.P.,
Mr. Bibaswan Bhattacharya.

...for the State.

Petitioner is in custody for 53 days. He submits he has been falsely implicated in the instant case. He prays for bail.

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

We have considered the materials on record. Case involves cultivation of ganja. Recoveries have already been made.

Keeping in mind the nature of accusation and period of detention suffered by the petitioner, we are of the opinion further detention of the petitioner for progress of investigation is not necessary 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,

Balurghat, Dakshin Dinajpur 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.)