

06.12.2022.
05.
Ct.No.28.
as
(Allowed)

C.R.M. (NDPS) 1435 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.33 of 2020 arising out of Kaliachak P. S. Case No.359 of 2020 dated 08.05.2020 under Sections 20(ii)(B)/29 of the NDPS Act.

In the matter of : Taimur @ Taimur Mia @ Taimur Sk.
.... Petitioner.

Mr. Mrityunjoy Chatterjee,
Mr. Debapriya Majumder.

...for the Petitioner.

Mr. Sandip Chakraborty.

...for the State.

Heard the learned Advocates for the parties.

Petitioner is in custody for 97 days. He submits no narcotic substance was recovered from his possession. Quantity of narcotics allegedly recovered from co-accused is below commercial quantity.

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

Under such circumstances, we are of the opinion further detention of the petitioner is not necessary and he may be enlarged on bail.

Accordingly, the petitioner viz., Taimur @ Taimur Mia @ Taimur Sk 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, Malda 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.)