

06.12.2022.
13.
Ct.No.28.
as
(Allowed)

C.R.M. (NDPS) 1443 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.16 of 2021 arising out of Raghunanthganj P.S. Case No.24 of 2021 dated 14.01.2021 under Sections 21(c)/25/28/29 of the NDPS Act, 1985.

In the matter of : Nantu Sk @ Naltu Sk.

.... Petitioner.

Mr. Soumyajit Das Mahapatra,
Mr. Tapodip Gupta.

...for the Petitioner.

Mr. Arijit Ganguly,
Mr. Sandip Kr. Dan.

...for the State.

Petitioner is in custody for one year and eight months. He submits no narcotic substance was recovered from his possession. He renews his prayer for bail.

Learned Advocate appearing for the State opposes the prayer for bail. He submits petitioner had entered into conspiracy to manufacture heroin. He took a room on rent. Various incriminating articles used for manufacturing heroin and a large volume of cash was recovered therefrom.

We have considered the materials on record. Recoveries were made from a room which is said to have been let out to the petitioner. However, narcotics i.e. heroin recovered from the said room is of intermediate quantity. There is hardly any progress in the matter since rejection of bail of the petitioner by this Court.

Under such circumstances, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner viz., Nantu Sk @ Naltu 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 NDPS Act, Murshidabad at Berhampore 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.)