

24.01.2023.
07.
Ct.No.28.
as
(Allowed)

C.R.M. (NDPS) 25 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection NDPS Case No.235 of 2022 arising out of Sagarpara P.S. Case No.324 of 2022 dated 04.12.2022 under Sections 21(b)/29 of the NDPS Act.

In the matter of : Shyam Sarkar.

.... Petitioner.

Mr. Tapodip Datta.

...for the Petitioner.

Mr. Saryati Datta.

...for the State.

Heard the learned Advocates for the parties.

We have considered the materials on record. Quantity of heroin recovered is below commercial quantity. He is in custody for 51 days.

In view of the aforesaid circumstances, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner viz., Shyam Sarkar 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, 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.)