

30.01.2023.
12.
Ct.No.28.
as
(Allowed)

C.R.M. (NDPS) 114 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.27 of 2022 arising out of Andar P. S. Case No.384 of 2022 dated 29.09.2022 under Sections 21c/29/25 of the NDPS Act.

In the matter of : Nitish Kumar Shaw @ Golu.

.... Petitioner.

Mr. Ayan Bhattacharyya,
Mr. Kunal Ganguly.

...for the Petitioner.

Mr. Sanjoy Bardhan,
Mr. Palash Kr. Majhi.

...for the State.

Petitioner is in custody for 124 days. He prays for bail.

Learned Advocate for the State opposes the bail prayer.

We have considered the materials on record. Quantity of narcotics seized is below commercial quantity.

Under such circumstances and in view of the period of detention suffered by the petitioner, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner viz., Nitish Kumar Shaw @ Golu 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, Asansol, Paschim Bardhaman 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.)