

30.01.2023.
24.
Ct.No.28.
as
(Allowed)

C.R.M. (NDPS) 126 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.29 of 2022 arising out of Andal P. S. Case No.440 of 2022 dated 08.11.2022 under Sections 21(b)/29 of the NDPS Act.

In the matter of : Rajib Shaw & Anr.

.... Petitioners.

Mr. Ayan Bhattacharyya,
Mr. Kunal Ganguly.

...for the Petitioners.

Mr. Sanjoy Bardhan,
Ms. Baishakhi Chatterjee.

...for the State.

Petitioners are in custody for 82 days. He prays for bail.

Learned Advocate for the State opposes the bail prayer.

We have considered the materials on record. Quantity of narcotic substance said to be recovered from them is 16.23 gms of heroin which is below commercial quantity.

Keeping in mind the aforesaid fact and as investigation is complete, we are inclined to grant bail to the petitioners.

Accordingly, the petitioner viz., Rajib Shaw and Astik Bose @ Rana shall be released on bail upon furnishing a bond of Rs.10,000/- each 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 they 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 petitioners fail to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel their 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.)