

06.02.2023
Sl. No.12
akd
[ALLOWED]

C. R. M. (NDPS) 187 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 31.01.2023 in connection with Baishnabnagar Police Station Case No. 753 of 2021 dated 28.12.2021 under Sections 21(c)/29 of the NDPS Act and Section 27 of the Drugs and Cosmetics Act.

And

In Re: ***Dalim Sk. @ Dallu***

... .. Petitioner

Mr. Arup Kumar Bhowmick

... .. for the petitioner

Mr. Swapan Banerjee

Mr. Anindya Sundar Chatterjee

... .. for the State

It is submitted on behalf of the petitioner that no narcotic substance was recovered from his possession. Co-accused has been granted pre-arrest bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. We find that no narcotic substance was recovered from the petitioner. Co-accused similarly circumstanced with the petitioner has been granted pre-arrest bail. Under such circumstances, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely ***Dalim Sk. @ Dallu***, be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Judge, Special Court under the NDPS Act, Malda subject to condition that the said petitioner 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 or commit similar offences in future.

In the event he fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application for bail, thus, stands **allowed**.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)