

08.02.2023.
19.
Ct.No.28.
as
(Allowed)

C.R.M. (NDPS) 222 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.30 of 2022 arising out of Andar P. S. Case No.444 of 2022 dated 13.11.2022 under Sections 21(b)/29 of the NDPS Act.

In the matter of : Jamir Momin.

.... Petitioner.

Mr. Kunal Ganguly.

...for the Petitioner.

Mr. Ranadeb Sengupta.

...for the State.

Petitioner is in custody for 85 days. He prays for bail.

Learned Advocate for the State opposes the bail prayer.

We have considered the materials on record. Quantity of narcotics allegedly recovered from the petitioner is 18.09 gms. of heroin which is of intermediate quantity.

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

Accordingly, the petitioner viz., Jamir Momin 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 Chief Judicial Magistrate, 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.)