

21.02.2023.
15.
Ct.No.28.
(Allowed)

C.R.M. (NDPS) 315 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.05 of 2022 arising out of Jhargram P. S. Case No.290 of 2022 dated 26.09.2022 under Sections 20(b)(ii)(B)/29 of the NDPS Act.

In the matter of : Samir Bera.

.... Petitioner.

Mr. Avik Ghatak,
Mr. Abhinav Rakshit.

...for the Petitioner.

Mr. Ranabir Roy Chowdhury,
Mr. Mainak Gupta.

...for the State.

Petitioner is in custody for 144 days. He prays for bail.

Learned Advocate for the State opposes the bail prayer.

We have considered the materials on record. Amount of narcotics recovered is below commercial quantity. Investigation is complete but chemical examiner's report has not been filed.

Under such circumstances, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner viz., Samir Bera 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, Jhargram 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.)