

22.02.2023
as/tkm/ct 28
sl no. 6

C.R.M. (NDPS) 327 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Watgunge Excise Circle SI's SL No 69/21 dated 30.11.2021 under sections 20(b)(ii)(c) of the NDPS Act
And

Allowed

In Re : Manirul Seikh petitioner

Mr. S S Saha

..... for the petitioner

Mr. S Bardhan

Mr. Palash Ch. Majhi

..... for the State

Petitioner is in custody for 58 days. It is submitted no narcotics was recovered from his possession. He prays for bail.

Learned lawyer for the State opposes the bail prayer.

We have considered the materials on record. No narcotics was recovered from the petitioner. Investigation is complete.

Under such circumstances we are of the opinion petitioner has been able to rebut statutory restrictions under section 37 of the NDPS Act and he may be granted bail.

Accordingly, the petitioner 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 Additional Sessions Judge, 4th Court, Alipore, South 24 Parganas on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

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

The application being CRM (NDPS) 327 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)