

24.02.2023
Sl. No.10
akd
[ALLOWED]

C. R. M. (NDPS) 342 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 17.02.2023 in connection with Lalgola Police Station Case No. 12 of 2023 dated 07.01.2023 under Sections 21(b)/29 of the NDPS Act. (NDPS Case No.08 of 2023)

And

In Re: ***Murtoja Selim @ Titu & Anr.***

... .. Petitioners

Mr. Jisan Iqbal Hossain
Ms. Chandrima Debnath
Mr. Karnel Mondal

... .. for the petitioners

Mr. Ranabir Roy Chowdhury
Mr. Mainak Gupta

... .. for the State

It is submitted on behalf of the petitioners that they are in custody for about 48 days.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Quantity of narcotics recovered from the petitioners i.e. 40 gms. of *Heroin* is below commercial quantity. Under such circumstances, we are of the opinion further detention of the accuseds/petitioners is not necessary.

Therefore, the accuseds/petitioners, namely ***(1) Murtoja Selim @ Titu & (2) Pradip Singha***, be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten thousand only) each, 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, Murshidabad subject to condition that the said petitioners 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 they fail to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel their bail automatically without reference to this court.

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

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)