

24.02.2023.
18.
Ct.No.28.
as
(Allowed)

C.R.M. (NDPS) 351 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.86 of 2022 arising out of Palashipara P. S. Case No.426 of 2022 dated 06.12.2022 under Sections 21(b)/29 of the NDPS Act and charge sheet submitted under Sections 21(b)/29 of the NDPS Act.

In the matter of : Nasim Sk. @ Choto.

.... Petitioner.

Md. Sabir Ahmed,
Mr. Abdul Aziz Mondal.

...for the Petitioner.

Mr. Sudip Ghosh,
Mr. Bitasok Banerjee.

...for the State.

Heard the learned Advocates for the parties.

We have considered the materials on record. Amount of narcotics recovered i.e. 102 grams of heroin is below commercial quantity. Petitioner does not have any criminal antecedents.

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

Accordingly, the petitioner viz., Nasim Sk. @ Choto 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, Nadia 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.)