

16.03.2023
sdas/tkm/ct 28
sl no. 10

C.R.M. (NDPS) 400 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Palashipara P.S case no. 436 of 2022 dated 13.12.2022 under sections 21(c)/29 of the NDPS Act
and

Allowed In Re : Sagar Sk. petitioner

Mr. A A Alamgir
Ms. June Modak

..... for the petitioner

Mr. S Bapuli
Mr. Arani Bhattacharya

..... for the State

Petitioner is in custody for 936 days. He prays for bail.

Learned lawyer for the State opposes the bail prayer.

We have considered the materials on record. Quantity of narcotics i.e. 100.9 gms of heroin seized from the petitioner is below commercial quantity. He has no criminal antecedents.

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

Accordingly, 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 Judge, Special Court under NDPS Act, Nadia at Krishnagar 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) 400 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)