

27.03.2023.
12.
Ct.No.28.
as
(Allowed)

C.R.M. (NDPS) 506 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection Special Case No.33 of 2018 arising out of Gangarampur P. S. Case No.590 of 2016 dated 25.11.2016 under Sections 22/25/27 of the NDPS Act and charge sheet submitted under Sections 22/25/27 of the NDPS Act.

In the matter of : Dhiraj Roy @ Dhiresh Roy.

.... Petitioner.

Mr. Kaushik Chowdhury.

...for the Petitioner.

Mrs. Anasuya Sinha,
Mr. Pinak Kr. Mitra.

...for the State.

Petitioner is in custody for about two months. He prays for bail.

Learned Advocate for the State opposes the bail prayer.

We have considered the materials on record. Allegations involve cultivation of ganja. Ganja plants have already been seized. Co-accused is on bail.

Under such circumstances, we are of the opinion further detention of the petitioner is not necessary and he may be released on bail.

Accordingly, the petitioner viz., Dhiraj Roy @ Dhiresh Roy 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 NDPS Act, Balurghat, Dakshin Dinajpur 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.)