

28.03.2023.
29.
Ct.No.28.
as
(Allowed)

C.R.M. (NDPS) 546 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection N Case No.06 of 2023 arising out of Baguiati P. S. Case No.34 of 2023 dated 17.01.2023 under Sections 20(b)(ii) B of the NDPS Act.

In the matter of : Sk. Raju.

.... Petitioner.

Mr. Angshuman Chakraborty,
Mr. S. S. Saha.

...for the Petitioner.

Mr. Saibal Bapuli, Id. A.P.P.,
Mr. Bibaswan Bhattacharya,
Mr. Arijit Ganguly.

...for the State.

Heard the learned Advocates for the parties.

We have considered the materials on record. No narcotics was recovered from the petitioner. Narcotics recovered from co-accused is below commercial quantity.

Under such circumstances and in view of the period of detention suffered by the petitioner i.e. 65 days, we are inclined to grant bail to the petitioner.

Accordingly, the petitioners viz Sk. Raju 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 the NDPS Act, Barasat, North 24-Paraganas 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.)