

29.03.2023
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allowed

CRM (NDPS) No. 564 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Murutia Police Station Case No. 288 of 2022 dated 20.11.2022 under Sections 21(c)/29 of the NDPS Act.

And

In Re : Jhontu @ Jhantu Biswas petitioner

Mr. Atis Kumar Biswas
Mr. Amit Singh

.....for the petitioner

Mr. Ranadeb Sengupta

..... for the State

Learned Counsel for the petitioner submits he is in custody for 81 days. He prays for bail.

Learned Counsel for the State opposes the prayer for bail.

We have considered the materials on record. No narcotics was recovered from the possession of the petitioner. Co-accused Rasidul Mandal @ Babu has been enlarged on bail. Petitioner stands on the same footing with the said accused. Hence, he may also be released on bail.

Accordingly, we direct that the petitioner 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 Additional Chief Judicial

Magistrate, Tehatta, Nadia, subject to the condition that the petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without further reference to this Court.

The application for bail is, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)