

13.04.2023
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allowed

CRM (NDPS) No. 740 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Islampur Police Station Case No. 76 of 2023 dated 26.02.2023 under Sections 20(b)(ii)(B)/29 of the NDPS Act.

And

In Re : Fajal Biswas & Ors. petitioners

Mr. Tapodip Gupta

.....for the petitioners

Mr. Partha Pratim Das

Ms. Manasi Roy

..... for the State

Heard the learned Counsels for the parties.

We have considered the materials on record. Amount of Ganja recovered is below commercial quantity. In view of the aforesaid circumstances and as further detention for progress of investigation is not necessary we are inclined to grant bail to the petitioners.

Accordingly, we direct that the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each 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-cum-Additional District Judge, 2nd Court at Berhampore, Murshidabad, subject to the condition that the petitioners 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 petitioners fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail automatically without further reference to this Court.

The application for bail is, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)