

25.04.2023.  
07.  
Ct.No.28.  
as  
(Allowed)

**C.R.M. (NDPS) 779 of 2023**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Spl. Case No.14 of 2022 arising out of Ketugram P. S. Case No.70 of 2022 dated 19.02.2022 under Sections 8(b)/15(c)/29 of the NDPS Act.

In the matter of : Tamal Bairagya.

.... Petitioner.

Mr. Uday Sankar Chattopadhyay,  
Ms. Trisha Rakhit,  
Mr. Rajarshree Tah.

...for the Petitioner.

Mr. Saryati Datta.

...for the State.

Petitioner is in custody for more than a year. He renews his bail prayer.

Learned Advocate for the State opposes the bail prayer.

We have considered the materials on record. Allegations involve cultivation of poppy. There is no progress in the matter since earlier rejection of bail by this Court.

Balancing the nature of accusation with the period of detention suffered by the petitioner, we are of the opinion petitioner may be enlarged on bail.

Accordingly, the petitioner viz., Tamal Bairagya 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 N.D.P.S. Act, Purba Bardhaman 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.)**