

12.05.2023
Sl. No.7
akd
[ALLOWED]

C. R. M. (NDPS) 964 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 03.05.2023 in connection with Hili Police Station Case No. 282 of 2022 dated 23.12.2022 under Sections 20(b)/23(b)/27A of the NDPS Act. (NDPS Case No. 1 of 2023)

And

In Re: **Sabuj Mondal**

... .. Petitioner

Mr. Sayan De
Mr. Sayan Kanjilal

... .. for the petitioner

Mr. Saryati Datta

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 39 days. Quantity of narcotics recovered from him is below commercial quantity. Accordingly, he prays for bail.

Learned Advocate for the State produces the case diary.

We have considered the materials on record. Quantity of narcotics recovered from the petitioner i.e. 32 gms. of *Yaba* tablets containing *methamphetamine* is below commercial quantity. Under such circumstances, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely **Sabuj Mondal**, be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten thousand only), 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-cum-Additional District & Sessions Judge, 3rd Court, Dakshin Dinajpur subject to condition that the said petitioner 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 or commit similar offences in future.

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

The application for bail, thus, stands allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)