

16.05.2023.
22.
Ct.No.28.
as
(Allowed)

C.R.M. (NDPS) 995 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.71 of 2022 arising out of Kaliachawk P.S. Case No.491 of 2022 dated 13.05.2022 under Sections 21(b) of the NDPS Act.

In the matter of : Mursed Sk.

.... Petitioner.

Mr. Amit Ranjan Pati.

...for the Petitioner.

Mr. Saryati Datta.

...for the State.

Heard the learned Advocate for the parties.

We have considered the materials on record. Amount of narcotics recovered is 140 grams of brown sugar i.e. heroin which is below commercial quantity. Investigation is complete.

Under such circumstances, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner viz., Mursed Sk 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-cum-Additional District Judge, 4th Court at Malda 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.)