

01.06.2023.
09.
Ct.No.08
as/TN
(Allowed)

C.R.M. (NDPS) 1077 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.08 of 2022 arising out of Islampur P. S. Case No.84 of 2022 dated 25.01.2022 under Sections 21(C)/23(C) of the NDPS Act.

In the matter of : Raja Ghosh.

.... Petitioner.

Mr. Sudip Guha,
Mr. Pronojit Roy.

...for the Petitioner.

Mr. Swapan Banerjee,
Ms. Sujata Das.

...for the State.

Learned Advocate appearing for the petitioner submits that the petitioner was arrested on January 25, 2022 and, as such, he is in custody for more than one year and four months.

Mr. Banerjee, learned Advocate appearing for the State submits that commercial quantity of codeine phosphate were recovered from the possession of the petitioner and the date for evidence has been fixed from June 1, 2023 to June 4, 2023.

We have considered the submissions advanced by the learned Advocate appearing for both the parties. We are not entering into the issue regarding the compliance of the mandatory provisions of law.

Having regard to the quantity of contraband so recovered and the period of detention of the present petitioner, we are inclined to release the petitioner on bail.

Accordingly, 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 Judge, Special Court under the NDPS Act, Raiganj, Uttar Dinajpur. The local surety in this case would be a person who would furnish the title deed of his property before the learned Special Court. Petitioner shall make himself available on each and every date fixed before the trial court.

The petitioner shall once in a fortnight for a period of one year meet with the Officer-in-charge/Inspector-in-charge or any police personnel deputed by Islampur Police Station. The concerned officer would also submit compliance report each and every month to the learned Special Court. The learned Special Court would see that the trial of the case is concluded within a period of one year from date.

In case there are violations of any of the aforesaid conditions, the learned Special Court would cancel the bail of the petitioner without further reference to this Court.

The application for bail being CRM (NDPS) 1077 of 2023 is allowed.

(Supratim Bhattacharya, J.)

(Tirthankar Ghosh, J.)