

03.07.2023
Sl. No.10
akd
[ALLOWED]

C. R. M. (NDPS) 1181 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 19.06.2023 in connection with Hirapur Police Station Case No.114 of 2023 dated 05.04.2023 under Sections 21(b)/25/29 of the NDPS Act. (NDPS Case No.06 of 2023)

And

In Re: ***Jitendar Mahato @ Chhotu***

... .. Petitioner

Mr. Avik Ghatak
Ms. Afreen Begum

... .. for the petitioner

Mr. Antarikhya Basu

... .. for the State

Heard the learned Advocates appearing for both the parties.

We have considered the materials on record. Amount of narcotics recovered from the petitioner is below commercial quantity. He is in custody for about 89 days. Under such circumstances, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely ***Jitendar Mahato @ Chhotu***, 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 Sessions Judge, 3rd Court, Asansol, Paschim Bardhaman 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.)