

11.07.2023  
Sl. No.21  
**akd**  
[ALLOWED]

**C. R. M. (NDPS) 1234 of 2023**

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 03.07.2023 in connection with Jagacha Police Station Case No.139 of 2022 dated 02.04.2022 under Section 20(b)(ii)(c) of the NDPS Act.

And

In Re: **Anirban Sengupta**

... .. Petitioner

Mr. Soumya Basu Roy Chowdhury  
Mr. Anirban Bakshi

... .. for the petitioner

Mr. Sanjay Bardhan  
Ms. Debjani Das Gupta

... .. for the State

Heard the learned Advocates appearing for both the parties.

We have considered the materials on record. Amount of narcotics i.e. 4.8 kgs. of *Ganja* recovered from the petitioner is below commercial quantity. He is in custody for about 465 days. Under such circumstances, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely **Anirban Sengupta**, 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, 3<sup>rd</sup> Court, Howrah 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.)**