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CRM(NDPS) No. 1260 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Krishnaganj Police Station Case No. 135 of 2023 dated 12.04.2023 under Section 21(c ) of the NDPS Act.

In Re : Bimal Biswas

Mr. Prabir Majumder  
Mr. Snehasu Majumder  
....for the petitioner

Mr. Nguive Ahmed, learned APP  
Mr. Antarikhya Basu  
.... for the State

Learned Counsel for the petitioner submits he is in custody for 89 days. It is also submitted quantity of narcotics recovered is below commercial quantity. He prays for bail.

Learned Counsel for the State opposes the bail prayer.

We have considered the materials on record. Amount of narcotics recovered is below commercial quantity. Accordingly, we are of the opinion further detention of the petitioner is not necessary and he may be granted bail.

Accordingly, we direct that 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 NDPS Act, Nadia, on condition that petitioner shall appear before the trial court on every date of hearing until further orders and shall not

intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

**(Ajay Kumar Gupta, J.)**

**(Joymalya Bagchi, J.)**