

25.07.2023
Sl. No.14
akd
[ALLOWED]

C. R. M. (NDPS) 1308 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 20.07.2023 in connection with Jhargram Police Station Case No. 62 of 2023 dated 06.03.2023 under Sections 20(b)(ii)(B)/29 of the NDPS Act. (NDPS G.R. Case No.05 of 2023)

And

In Re: **Gopal Das**

... .. Petitioner

Mr. Rohan Ojha
Mr. Surojit Saha
Mr. Shamim Aktar
Mr. Shadab Shabbir Abbasi

... .. for the petitioner

Mr. Ranadeb Sengupta

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 140 days. Investigation is complete. Accordingly, he prays for bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Quantity of narcotics recovered from the petitioner i.e. 7.6 kgs. of *Ganja* is below commercial quantity. Under such circumstances and in view of the period of detention suffered by the petitioner and as investigation is complete, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely **Gopal Das**, 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, 1st Court, Jhargram 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.)