

09.08.2023
Sl. No.8
akd
[ALLOWED]

C. R. M. (NDPS) 1374 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 27.07.2023 in connection with Raniganj Police Station Case No.237 of 2023 dated 10.06.2023 under Section 20(b)(ii)(B) of the NDPS Act. (NDPS Case No.09 of 2023)

And

In Re: ***Jaybind Thakur***

... .. Petitioner

Mr. Kunal Ganguly

... .. for the petitioner

Mr. Ranadeb Sengupta

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 59 days. It is further submitted he has been falsely implicated. Accordingly, he prays for bail.

Learned Advocate for the State opposes the prayer for bail and submits investigation is in progress.

We have considered the materials on record. Amount of narcotics i.e. 4.6 kgs. of *Ganja* recovered from the petitioner is below commercial quantity. He is in custody for about 59 days. Under such circumstances, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely ***Jaybind Thakur***, 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.)