

30.08.2023.
14.
Ct.No.28.
as
(Allowed)

C.R.M. (NDPS) 1455 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.06 of 2023 arising out of Chinsurah P.S. Case No.308 of 2023 dated 01.07.2023 under Sections 20(b)(ii)(B)/29 of the NDPS Act.

In the matter of : Purushottam Jha.

.... Petitioner.

Mr. Debtanay Banerjee.

...for the Petitioners.

Mr. Sudip Ghosh,
Mr. Bitasok Banerjee.

...for the State.

1. Petitioner is in custody for 60 days. He submits he is the driver of the public conveyance i.e. Taxi which was hired by co-accused to transport narcotics. Amount of narcotics is below commercial quantity. He prays for bail.
2. Learned Advocate for the State produces the Case Diary.
3. We have considered the materials on record. Petitioner is the driver of the Taxi. Nothing is placed on record to show that he had nexus with the co-accused who had hired vehicle and had allegedly transported narcotics. Amount of narcotics is also below commercial quantity.
8. Under such circumstances, we are inclined to grant bail to the petitioner.
9. Accordingly, the petitioner viz., Purushottam Jha 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

the NDPS Act, Chinsurah, Hooghly subject to condition that he 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.

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

11. This application for bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)