

11.10.2023.
07.
Ct.No.28.
as
(Allowed)

C.R.M. (NDPS) 1665 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.55 of 2023 arising out of Nabawdip P.S. Case No.315 of 2023 dated 16.06.2023 under Sections 30(b)C/29 of the NDPS Act.

In the matter of : **Krishnendu Roy @ Rana Roy.**

.... Petitioner.

Mr. Akashdeep Mukherjee,
Mr. Sayan Banerjee,
Mr. Pritam Chatterjee.

...for the Petitioner.

Mr. Sanjoy Bardhan,
Ms. Debjani Dasgupta.

...for the State.

1. Petitioner is in custody for 85 days. He contends no narcotics was recovered from his possession. Co-accused Gobinda Das has been granted pre-arrest bail. He prays for bail.
2. Learned Advocate for the State opposes the bail prayer. He contends over 94.6 kgs. of ganja was recovered from a vehicle. A fake number plate was affixed to the vehicle. Petitioner had telephonic conversations with co-accused viz., Gobinda Das who was involved in the trafficking of narcotics.
3. We have considered the materials on record. No narcotics was recovered from the petitioner. Nothing is placed on record to show he is the owner of the vehicle which was used to transport narcotics. Co-accused viz., Gobinda Das with whom telephonic conversations were recorded in the CDRs has been

granted pre-arrest bail. In spite of police custody, no incriminating evidence has transpired against the petitioner.

4. Hence, we are inclined to grant bail to the petitioner.

5. Accordingly, the petitioner viz., **Krishnendu Roy @ Rana Roy** 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, Nadia at Krishnagar 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 and on further condition petitioner while on bail shall appear before the Investigating officer twice in a week on the day and time fixed by the Investigating Officer until further orders and on further condition that the petitioner shall not leave the jurisdiction of the Police Station without obtaining prior leave from the Investigating Officer.

6. 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.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)

