

18.10.2023
15
sdas
allowed

CRM(NDPS) No. 1722 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Panchla Police Station Case No. 258 of 2023 dated 05.08.2023 under Sections 20(b)(ii)/29 of the NDPS Act.

And
In Re : Sk. Jahir Hossain petitioner

Mr. Mrityunjoy Chatterjee
Mr. Tusar Hazra
.....for the petitioner

Mr. Madhusudan Sur, learned APP
Mr. Dipankar Paramanick
..... for the State

1. Heard the learned Counsels for the parties.
2. We have considered the materials on record. Amount of narcotics i.e. 12kgs. of Ganja recovered from the possession of the petitioner is below commercial quantity. Under such circumstances, we are of the opinion further detention of the petitioner is not necessary and he may be enlarged on bail.
3. 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, Howrah, subject to the conditions 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.

4. 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.
5. The application for bail is, accordingly, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)