

30.11.2023
Sl. No.11
akd
[ALLOWED]

C. R. M. (NDPS) 1825 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 19.10.2023 in connection with Chatterjeehat Police Station Case No.157 of 2023 dated 12.08.2023 under Sections 20(b)(ii)(B)/29 of the NDPS Act.

And

In Re: ***Madanlal Jaiswara & Anr.***

... .. Petitioners

Mr. Arnab Chatterjee
Mr. Amanul Islam
Mr. Sourav Mukherjee
Ms. Poulami Bose

... .. for the petitioners

Md. Anwar Hossain
Ms. Sutapa Banerjee

... .. for the State

1. It is submitted on behalf of the petitioners that they are in custody for about 110 days. Accordingly, they pray for bail.
2. Learned Advocate for the State opposes the prayer for bail.
3. We have considered the materials on record. Amount of narcotics i.e. 16.9 kgs. of *Ganja* recovered from the petitioners is below commercial quantity. Under such circumstances and in view of the period of detention suffered by the petitioners, we are of the opinion further detention of the petitioners is not necessary.
4. Therefore, the petitioners, namely **(1) *Madanlal Jaiswara* & (2) *Ritik Paswan***, be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten thousand only) each, 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, Howrah subject to condition that the said petitioners 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.

5. In the event they fail to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel their bail automatically without reference to this court.
6. The application for bail, thus, stands allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)