

18.12.2023

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Allowed

C.R.M. (NDPS) No. 1936 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Chatterjeehat Police Station Case No. 63 of 2023 dated 15.04.2023 under Sections 20(b)(ii)(c) of the N.D.P.S. Act.

And
In Re : Dibakar Chowdhury @ Gullu petitioner

Mr. Sandip Dinda
.....for the petitioner

Mr. Iqbal Kabir
.....for the State

1. Learned Counsel for the petitioner submits no narcotics was recovered from his possession. He is in custody for about eight months. Co-accused has been enlarged on bail.

2. Learned Counsel for the State opposes the prayer for bail.

3. We have considered the materials on record. Petitioner is in custody for about eight months. No narcotics was recovered from his possession. Co-accused has been enlarged on bail. Accordingly, petitioner is entitled to bail on the same terms and conditions.

4. 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-cum-Additional Sessions Judge, Howrah, subject to condition that 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.

5. In the event 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.

6. The application for bail is, accordingly, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)