

20.12.2023
Sl. No.26
akd
[ALLOWED]

C. R. M. (NDPS) 2022 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 06.12.2023 in connection with Asansol South Police Station Case No.340 of 2023 dated 21.09.2023 under Sections 21(b)/29 of the NDPS Act. (NDPS Case No.18 of 2023)

And

In Re: ***Shiv Ram Yadav @ Shivram Yadav***

... .. Petitioner

Mr. Apurba Kumar Datta

... .. for the petitioner

Mr. Debasis Roy .. Id. Public Prosecutor

Ms. Rituparna De Ghose

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for about 90 days. Investigation is complete. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the prayer for bail.
3. We have considered the materials on record. Amount of narcotics recovered from the petitioner is below commercial quantity. Investigation is complete. In view of the aforesaid fact and the period of detention suffered by the petitioner, we are of the opinion further detention of the accused/petitioner is not necessary.
4. Therefore, the accused/petitioner, namely ***Shiv Ram Yadav @ Shivram Yadav***, be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten thousand only), 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-cum-Additional District Judge, 3rd Court, Asansol, Paschim Bardhaman subject to condition that the said 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 he fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.
6. The application for bail, thus, stands allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)