

D/L. 44
February 10, 2023
MNS

Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Side

CRM (NDPS) 127 of 2023

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 25.01.2023 arising out of Bhaktinagar Police Station Case No. 46 of 2022 dated 02.04.2022 under Section 21(c)/22(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of: Rahul Trikhatri

.... Petitioner

Mr. Jaydeep Kanta Bhowmik,
Mr. Sayantan Bhowmik

... for the petitioner

Mr. Saikat Chatterjee,
Mr. Aniruddha Biswas

... for the State.

On behalf of the State, strong objection is raised on the ground that all the statutory conditions have been complied with in this case during search and seizure.

However, considering the fact that the amount of contraband seized is just above the commercial quantity and during investigation the petitioner has already undergone incarceration for a period of about 320 days, we are inclined to grant bail to the petitioner.

Accordingly, CRM (NDPS) 127 of 2023 is allowed, thereby granting bail to the petitioner on condition that the petitioner furnishes 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), at Jalpaiguri.

The petitioner shall not leave the territorial jurisdiction of the trial court during the entire period of trial and shall attend the trial on each and every date.

The petitioner shall not make any inducement, threat or promise to any person acquainted with the facts and circumstances of the case so as to dissuade such person from disclosing such facts to any police officer or the court and/or tamper with the evidence in any manner whatsoever.

(Sabyasachi Bhattacharyya, J.)

(Rai Chattopadhyay, J.)