

JPD-49
Ct No.01
22.09.2023
TN

Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Side

CRM (NDPS) 590 of 2023

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 11.08.2023 in connection with Rajganj Police Station Case No. 227 of 2023 dated 08.05.2023 under Sections 20(b)(ii)(c)/25/29 of the NDPS Act, 1985.

And

In the matter of: Abdul Karim

.... petitioner

Mr. Arijit Ghosh

... for the petitioner

Mr. Nilay Chakraborty

... for the State

- 1.** Learned counsel for the petitioner argues that the samples were sent for chemical examination about four months after the seizure. That apart, the petitioner is already in custody for 137 days.
- 2.** Learned counsel for the State opposes the prayer for bail.
- 3.** However, keeping in view the above circumstances, we are of the opinion that the rigour of Section 37 of the NDPS Act is not attracted in the present case.
- 4.** Accordingly, CRM (NDPS) 590 of 2023 is allowed, thereby granting bail to the petitioner on condition that the petitioner shall furnish 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 (NDPS Act), Jalpaiguri.

5. The petitioner shall not leave the territorial jurisdiction of the trial court during the entire period of trial and shall attend each and every date of trial.
6. Further, the petitioner shall not, directly or indirectly, 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.)

(Uday Kumar, J.)