

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

11.01.2023
Court No.1
(D/L 14)
(SKB)

CRM (NDPS) 443 OF 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with Kotwali P. S. Case No.245 of 2022 dated 24.04.2022 under Sections 20(b)(ii)(c)/29 of the N.D.P.S. Act, 1985 corresponding to NDPS Case No.51 of 2022.

And

In the matter of: **Subhasis Roy**

... Petitioner.

Mr. Joydeep Kanta Bhowmik

... for the petitioner.

Mr. Nilay Chakraborty,
Mr. Arjun Chowdhury

... for the State.

The FIR states that an amount of 7.335 kgs of contraband substances (ganja) was recovered from the petitioner. The FIR mentions the quantity with specific reference to the petitioner before us.

Since the quantum recovered from the petitioner is below the commercial quantity, we are inclined to grant bail.

We accordingly, direct that the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-(rupees ten thousand only) with two sureties each of like amount, one of who must be local to the satisfaction of the learned Judge, Special Court (NDPS Act), Jalpaiguri. The petitioner shall not leave the jurisdictional area of the local police station and shall also make himself available before the concerned

court and the police station whenever required for investigation and questioning. The petitioner shall also make himself available before the trial court on every date of hearing whenever required and shall not intimidate any witnesses or tamper with any evidence in any manner whatsoever.

C.R.M.(NDPS) 443 of 2022 is accordingly allowed and disposed of in terms of the above.

(SIDDHARTHA ROY CHOWDHURY, J.) (MOUSHUMI BHATTACHARYA, J.)