

11.01.2024
Sl. No.24
akd
[ALLOWED]

C. R. M. (NDPS) 55 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 04.01.2024 in connection with Krishnagar Kotwali Police Station Case No.1162 of 2023 dated 26.11.2023 under Section 20(b) of the NDPS Act. (NDPS Case No.84 of 2023)

And

In Re: **Subir Sarkar**

... .. Petitioner

Mr. Prabir Majumder
Mr. Snehansu Majumder

... .. for the petitioner

Mr. Ranadeb Sengupta

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for about 50 days. 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 i.e. 6 kgs. of *Ganja* recovered from the petitioner is below commercial quantity. 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 **Subir Sarkar**, 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, Krishnagar, Nadia 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.)