

15.01.2024.
20.
Ct.No.28.
as
(Allowed)

C.R.M. (NDPS) 81 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.60 of 2023 arising out of Gangarampur P.S. Case No.400 of 2023 dated 17.08.2023 under Sections 21(C)/22(C)/23(C)/27/28 of the NDPS Act.

In the matter of : **Md. Saifur Rahaman @ Saifur Rahaman @ Saifar.**

.... Petitioner.

Mr. Koushik Choudhury.

...for the Petitioner.

Mrs. Amita Gaur.

...for the State.

1. Petitioner is in custody for about 114 days. He contends no narcotics was recovered from his possession. Accordingly, he prays for bail.
2. Learned advocate for the State submits report. She contends CDRs show telephonic conversations between petitioner and co-accused from whom recovery was made. Petitioner has criminal antecedents.
3. We have considered the materials on record. No narcotics was recovered from the petitioner. CDRs show telephonic conversations between petitioner and co-accused from whom narcotics was recovered. But the contents of the conversations are not known. Though petitioner was taken into police custody, no incriminating material surfaced in the course of his detention.
4. Under such circumstances, we are of the opinion petitioner may be enlarged on bail subject to conditions.

5. Accordingly, the petitioner viz., **Md. Saifur Rahaman @ Saifur Rahaman @ Saifar** shall be released on bail upon furnishing 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 under the NDPS Act, Balurghat, Dakshin Dinajpur subject to condition that he 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 and on further condition that the petitioner, while on bail, shall meet the Officer-in-charge, Gangarampur Police Station once in a week until further orders.

6. In the event the petitioner fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

7. This application for bail is, thus, disposed of.

(Partha Sarathi Sen, J.)

(Joymalya Bagchi, J.)