

17.01.2024  
Sl. No.15  
**akd**  
[ALLOWED]

**C. R. M. (NDPS) 102 of 2024**

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 05.01.2024 in connection with Golabari Police Station Case No.280 dated 08.09.2023 under Sections 22(b)/29 of the NDPS Act.

And

In Re: **Ameer Khan @ Amir Khan @ Sharukh**  
... .. Petitioner

Mr. Abhra Mukherjee  
Mr. Sauradeep Dutta  
Mr. A. Mukherjee  
Mr. S. K. Mondal

... .. for the petitioner

Mr. Koushik Kundu

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for about 132 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. Intermediate quantity of narcotics i.e. 30 gms. of *Nitrazepam* tablets was recovered from the petitioner. 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 **Ameer Khan @ Amir Khan @ Sharukh**, 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, Howrah 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.)**