

01.04.2024
Sl. No.13
akd
[ALLOWED]

C. R. M. (NDPS) 558 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 12.03.2024 in connection with Gaighata Police Station Case No.172 of 2024 dated 22.02.2024 under Sections 20(b)/29 of the NDPS Act. (NDPS Case No.18 of 2024)

And

In Re: **Rakesh Singh**

... .. Petitioner

Mr. Surajit Basu
Ms. Ananya Dasgupta

... .. for the petitioner

Mr. Tanmay Kr. Ghosh
Mr. Kanchan Roy

... .. for the State

1. Heard the learned Advocates appearing for both the parties.
2. We have considered the materials on record. Amount of narcotics i.e. 2 kgs. of *Ganja* recovered from the petitioner is below commercial quantity. He is in custody for about 40 days. Balancing the nature of accusation with the period of detention suffered by the petitioner, we are of the opinion further detention of the accused/petitioner is not necessary.
3. Therefore, the accused/petitioner, namely **Rakesh Singh**, 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-cum-Additional District & Sessions Judge, 6th Court, Barasat, North 24-Parganas 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.

4. 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.
5. The application for bail, thus, stands allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)