

02.05.2024
Sl. No.12
akd
[ALLOWED]

C. R. M. (NDPS) 755 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 25.04.2024 in connection with Bhagwanpur Police Station Case No.41 of 2024 dated 10.02.2024 under Section 20(b)(ii)(B) of the NDPS Act.

And

In Re: **Amalesh Barui @ Santu**

... .. Petitioner

Mr. Navanil De
Mr. Subhrajit Dey

... .. for the petitioner

Mr. Avishek Sinha
Mr. Soumadip Saha

... .. for the State

1. Heard the learned Advocates appearing for both the parties.
2. We have considered the materials on record. Amount of narcotics recovered from the petitioner is below commercial quantity. He is in custody for about 81 days. Charge has been framed. Under such circumstances, we are of the opinion further detention of the accused/petitioner is not necessary.
3. Therefore, the accused/petitioner, namely **Amalesh Barui @ Santu**, 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, Tamluk, Purba Midnapore 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.)