

CRM (NDPS) 823 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Raiganj Police Station** Case No. **258 of 2022** dated **05.03.2022** under Sections **20(b)(ii)(b)** of the NDPS Act.

- A n d -

In the matter of : Janarul Sk

.... Petitioner.

Mr. Arnab Chatterjee,
Mr. Anisur Rahaman,

... For the Petitioner.

Mr. Koushik Kundu,
Mr. Ivan Roy,

... For the State.

Allegedly intermediate quantity of ganja was recovered from a motor car of which the petitioner is the registered owner. He says that he is in custody for 148 days. Witness action has not yet started. Charge sheet has been filed upon completion of investigation. He says that his further detention is unnecessary.

Learned Advocate for the State opposes the prayer for bail. He says that the petitioner fled away from the spot when the contraband item was seized. He was absconding for two years. Thereafter, he was arrested. Witness action has started. Two witnesses have already been examined.

Having considered the facts and circumstances of the case, the period of detention of the petitioner and that intermediate quantity of contraband is involved and not commercial quantity, and also that charge sheet has been filed upon completion of investigation, we are of the view that further detention of the

petitioner is not necessary subject to he complying with the following conditions.

Accordingly, we direct that the petitioner, namely, **Janarul Sk**, shall be released on bail upon furnishing a bond of Rs. 25,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the Learned Special Judge under the NDPS Act, Raiganj, Uttar Dinajpur, and on further conditions that he shall not leave the jurisdiction of the concerned police station and shall report to the Officer-in-Charge of the concerned police station once in a fortnight until further orders. The petitioner shall appear before the trial Court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this court.

The application for bail is, accordingly, allowed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(**Apurba Sinha Ray, J.**)

(**Arijit Banerjee, J.**)