

02  
14-06-2024  
(ct. no.28)  
KOLE  
Allowed

## CRM (NDPS) 816 of 2024

**In re:** An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Nakashipara Police Station** Case No. **960 of 2022** dated **09.12.2022** under Sections 8(c)/**21(b)/25/29** of the NDPS Act.

- A n d -

**In the matter of : Khalil Sardar**

.... Petitioner.

Mr. Angshuman Chakraborty,  
Mr. A. Islam,  
Mr. Sourav Mukherjee,  
Mr. S. S. Saha,

... For the Petitioner.

Mr. Binoy Kr. Panda,

... For the State.

Intermediate quantity of heroin was recovered from the principal accused. Nothing was recovered from the petitioner.

Learned Advocate for the State says that the petitioner managed to flee from the place where the contraband item was seized. Investigation is complete. Charge sheet has been submitted.

In view of the aforesaid and since commercial quantity of contraband is not involved, we are of the view that further detention of the petitioner (who has been in custody for about 80 days) is not necessary.

Accordingly, we direct that the petitioner, namely, **Khalil Sardar**, 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, Krishnagar, Nadia 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. )**