

04.09.2024
Item no. 73.
Court No.28.
AB
(Allowed)

CRM (NDPS) 1366 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Asansol South Police Station Case No.242 of 2024 Dated 1.7.2024 under Section 20B(II)(B)/25/29 of the NDPS Act

And

In the matter of : Atanu Bhattacharya & Anr.Petitioners.

Sk. Salimfor the Petitioners.

Mr. Sujay Sarkarfor the State.

Dictated by Arijit Banerjee, J.

1. The petitioners say that they are in custody for 66 days. Only 6.4 kilograms of ganja was allegedly recovered from them. They pray for bail.
2. Learned Advocate for the State tells us that charge sheet has been submitted upon completion of investigation.
3. In view of the fact that intermediate quantity of contraband item is involved and investigation is complete, we are of the view that further custodial detention of the petitioners is not necessary.
4. Accordingly, we direct that the petitioners, namely **Atanu Bhattacharya and Palash Malik** shall be released on bail upon furnishing a bond of Rs.25,000/- each, 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 at Asansol, Paschim Burdwan, and on further conditions that they 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.

5. The petitioners 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 and/or commit any cognizable offence in any manner whatsoever.
6. In the event the petitioners fail to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioners' bail in accordance with law without further reference to this Court.
7. The application for bail is, accordingly, allowed.
8. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Arijit Banerjee, J.)

(Prasenjit Biswas, J.)

