

13.9.2024
Ct. No. 6
SL No. 33
SB

C.R.M. (NDPS) 1369 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure as amended under Section 483 of the B.N.S.S. Act 2023 in connection with **Kasba** P.S. Case No. 517 of **2023** dated 30.12.2023 under Sections 20(b)(ii)(c)/58(2)/29 of the N.D.P.S. Act.

And

In the matter of: Mahadev Nayaban @ Nayban

Mr. Mrityunjoy Chatterjee

Mr. Sanatan Deb Roy

Mr. Kailash Tamoli

... for the petitioner

Mr. Soumik Ganguly

Ms. A Begum

...for the State

1. Heard the learned advocates for the parties.
2. Petitioner submits no narcotics was recovered from his possession.
One Dilnawaz has been enlarged on bail. He prays for bail.
3. Learned counsel for the State submits petitioner and others conspired to transport narcotics.
4. We have considered the materials on record. No narcotics was recovered from the petitioner. He is in custody for 10 months. Co-accused Md. Dilnawaz has been enlarged on bail.
5. Hence, we are of the opinion petitioner may be extended similar relief.
6. Accordingly, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional District and Sessions Judge, Special Court, NDPS Act, Alipore, South 24 Parganas subject to the condition that the petitioner shall appear before the trial court on each and every date of hearing until

further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.

7. In the event petitioner fails to appear before the Trial Court without any justifiable cause, the Trial Court shall be at liberty to cancel his bail without any further reference to this Court.
8. The application for bail is, thus, allowed and disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)