

26.09.2024
Item no. 28.
Court No.28.
AB
(Allowed)

CRM (NDPS) 1392 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 Swarupnagar Police Station Case No.262 of 2024 Dated 12.05.2024 under Sections 22(b) of the NDPS Act

And

In the matter of : Biplab Biswas

.....Petitioner.

Mr. M. H. Choudhury,
Mr. Rishav Karfor the Petitioner.

Mr. Anand Keshri,
Mr. Soumadip Sahafor the State.

Dictated by Arijit Banerjee, J.

1. The petitioner says that investigation is complete and charge sheet has been submitted. He is in custody for 52 days. He has no connection with the alleged contraband items.
2. While opposing the prayer for bail, learned State Advocate, in his usual fairness, points out that the principal accused from whom recovery of intermediate quantity of yaba tablets was made, has been granted bail by this Bench by an order dated July 8, 2024, in CRM (NDPS) 1038 of 2024.
3. There was no recovery of contraband items from this petitioner as would appear from the seizure list.

4. Considering the above, we are inclined to allow the petitioner's prayer for bail.
5. Accordingly, we direct that the petitioner, namely **Biplab Biswas** 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 Judge, Special Court under the NDPS Act at Barasat, North 24 Parganas, and on further conditions that 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 and/or commit any cognizable offence in any manner whatsoever.
6. 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.
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.)

(Apurba Sinha Ray, J.)

