

11.9.2024
Ct. No. 6
SL No. 39
SB

C.R.M. (NDPS) 1402 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 **Sagardighi** P.S. Case No. **488 of 2021** dated 21.12.2021 under Sections 21(c) / 29 of the N.D.P.S. Act, submitted charge sheet No. 217 of 2022 dated 14.6.2022 under Sections 21(c) / 29 of the N.D.P.S. Act.

And

In the matter of: Jiyarul Sk.

Ms. Shabana Hasin
Ms. Samima Akter Banu
Ms. Neha Roy

... for the petitioner

Mr. Anand Keshari
Ms. Debarshi Brahma

....for the State

1. Heard the learned advocates for the parties.
2. We have considered the materials on record. Co-accused who was present at the spot wherefrom narcotics of above commercial quantity were recovered has been released on bail. It is alleged that the petitioner was the owner of the vehicle which was used to transport narcotics. It is to be decided during trial whether he had the requisite knowledge with regard to the illicit transportation narcotics in his vehicle. Keeping in mind the aforesaid facts, we are of the opinion, petitioner may be enlarged on bail.
3. 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 Judge, Special Court, under N.D.P.S. Act cum Additional District Judge, 5th Court, Berhampore, Murshidabad, 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.

1. 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.
2. The application for bail is, thus, allowed and disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)