

08.11.2024.
52.
Ct.No.28.
as
(Allowed)

C.R.M. (NDPS) 1716 of 2024

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with N. Case No.70 of 2024 arising out of NSCBI Airport Kolkata by Indian Customs under Sections 20(b)/23(a) of the NDPS Act.

In the matter of : **Abdul Basith Mukkadakkattu Valappil**.
.... Petitioner.

Mr. Samrat Chowdhury,
Mr. Sagnik Mukherjee.

...for the Petitioner.

Mr. Vipul Kundulia,
Mr. Anurag Roy,
Ms. Uneaza Ali.

...for the Customs Authority.

1. Petitioner contends amount of narcotics recovered is below commercial quantity. Investigation is complete. Accordingly, he prays for bail.
2. Learned Advocate for the Customs authority opposes the bail prayer.
3. We have considered the materials on record. Amount of narcotics recovered is 4.354 kgs. of ganja which is below commercial quantity. Prosecution report has already been filed.
4. Under such circumstances, we are inclined to grant bail to the petitioner subject to strict conditions.
5. Accordingly, the petitioner viz., **Abdul Basith Mukkadakkattu Valappil** 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 the NDPS Act, Barasat,

North 24-Paraganas subject to condition that he shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever and on further condition petitioner while on bail shall remain within the jurisdiction of North 24-Paraganas, South 24-Paraganas or Kolkata and provide address where he shall presently reside to the Investigating Officer and the trial court and shall report to Investigating Officer viz., Shewatabh Chatterjee, Air Customs Officer once in a week until further orders.

6. In the event the petitioner fails to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

7. This application for bail is, thus, disposed of.

(Gaurang Kanth,J.)

(Joymalya Bagchi, J.)