

14.11.2024
tkm/ct 28
sl no. 55

C.R.M. (NDPS) 1744 of 2024

In Re : An application for bail under section 483 of the BNSS 2023 in connection with NSCBI Airport P.S case no. 62 of 2024 dated 20.8.2024 under sections 20(b)(ii)(b) of the NDPS
And

Allowed

In Re : Haripada Mondal

... petitioner

Mr. S Nag
Mr. Aditya Tiwari
Ms. Namrata Chatterjee

..... for the petitioner

Mr. Subhomoy Bhattacharya
Ms. Debanita Das

..... for the State

1. Heard learned lawyers for the parties.
2. We have considered the materials on record. Petitioner is in custody for 64 days. It is submitted no narcotics was recovered from his possession. Prosecution contends he is the consignee of the parcel from which narcotics was recovered. Even if the prosecution case of constructive possession is believed, amount of narcotics recovered is below commercial quantity. Investigation is complete.
3. Under such circumstances, we are inclined to grant bail to the petitioner however on strict conditions.
4. Accordingly, the petitioner 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 NDPS Act Barrackpore North 24 Parganas on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever and on further condition that the petitioner while on bail shall remain

within the district of North 24 Parganas except for the purpose of investigation and/or attending court proceeding and report to Officer-in-Charge of NSCBI Airport P.S once a week until further orders.

5. In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

6. The application being CRM (NDPS) 1744 of 2024 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)