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Allowed

C.R.M. (NDPS) No. 2084 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Hogolberia Police Station Case No. 39 of 2023 dated 23.02.2023 under Sections 20/21/23/29 of the N.D.P.S. Act.

And

In Re : Devendra Ahuja @ Chintu petitioner

Mr. Ayan Bhattacharya

Mr. Arnab Saha

.....for the petitioner

Mr. Tanmoy Kumar Ghosh

Ms. Rita Datta

.....for the State

1. Heard the learned Counsels for the parties.

2. We have considered the materials on record.

Petitioner is in custody for 299 days. Co-accused from whom narcotics was recovered i.e. Suman Sardar has been granted bail by this Court. Under such circumstances, we are inclined to grant bail to the petitioner.

3. Accordingly, we direct that 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 NDPS Act, Krishnanagar, Nadia, subject to condition that petitioner 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.

4. 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 in accordance with law without further reference to this Court.

5. The application for bail is, accordingly, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)