

13.05.2024

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Allowed

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri

C.R.M. (NDPS) No. 184 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kharibari Police Station Case No. 293 of 2023 dated 16.10.2023 under Sections 21(c)/22(c) of the N.D.P.S. Act.

And

In Re : Yusuf Ali @ Yousuf Sk. petitioner

Ms. Sidhi Sethia
Ms. Rima Sarkar
Ms. Suparna Paul

.... for the petitioner

Mr. Tapan Bhattacharjee
Mr. Dhiman Sil

.... for the State

1. Heard the learned Counsels for the parties.

2. We have considered the materials on record.

Amount of narcotics i.e. 203 gms. of Brown Sugar i.e. Heroin recovered from the petitioner is below commercial quantity. Investigation is complete. Accordingly, 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-cum-learned Additional District & Sessions Judge, 2nd court, Siliguri, 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.

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.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)