

JPD-3
Ct No.01
23.07.2024
AK

Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Side

CRM (NDPS) 260 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with Jaigaon Police Station Case No. 88 of 2024 dated 07.05.2024 under Sections 17(a)/29 of the NDPS Act.

And

In the matter of: **Mahabul Hossen@Hossain@Islam@Mohabul Hossain and others**

.... petitioners

Mr. Swarup Kumar Mondal
Ms. Satyaki Basu

... for the petitioners

Mr. Kallol Acharjee
Mr. Tapan Bhattacharjee
Mr. Chattu Roy

... for the State

1. Since the contraband article seized was below commercial quantity, we are of the opinion that the benefit of bail ought to be extended to the petitioners.
2. Keeping in view such circumstances, we are inclined to grant bail to the petitioners.
3. Accordingly, CRM (NDPS) 260 of 2024 is allowed, thereby granting bail to the petitioners on condition that the petitioners shall furnish bond of Rs.5000/- each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Sessions Judge at Alipurduar. The sureties may be common in respect of all the petitioners.

4. The petitioners shall make themselves available as and when required by the Investigating Officer in order to facilitate the investigation, and shall also cooperate in all manners with the investigation.
5. That apart, the petitioners shall not leave the territorial jurisdiction of the prospective trial court without leave of the trial court when trial commences.
6. Further, the petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts and circumstances of the case so as to dissuade such person from disclosing such facts to any police officer or the court and/or tamper with the evidence in any manner whatsoever.

(Sabyasachi Bhattacharyya, J.)

(Prasenjit Biswas, J.)