

16.01.2025
Item no. 47.
Court No.29.
AB
(Allowed)

CRM (NDPS) 1936 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Jhargram GRPS Police Station Case No.09 of 2024 Dated 30.08.2024 under Section 20(b)(ii)(B) of the NDPS Act

And

In the matter of : Md. Vakil Ahamad Petitioner.

Mr. S. Das Mahapatra,
Ms. Madhurai Sinha,
Mr. Ranabeer Halder for the Petitioner.

Ms. Subhasree Patel,
Ms. Pallavi Priyadarshee.....for the State.

Dictated by Arijit Banerjee, J.

1. The petitioner says that he has been falsely implicated. Allegedly 6.255 kilograms of ganja was seized from him. He has no connection with such contraband item. In any event, investigation is complete. Charge sheet has been filed. He prays for bail.
2. Opposing the prayer for bail, learned State Counsel says that the petitioner is a permanent resident of Allahabad. If granted bail, there is possibility of the petitioner absconding.
3. Intermediate quantity of contraband being involved, the restrictions in Section 37 of the NDPS Act do not apply. Investigation is complete.

4. On an overall assessment of the material on record, we are of the view that further custodial detention of the petitioner is not necessary.
5. Accordingly, we direct that the petitioner, namely **MD. VAKIL AHAMAD** shall be released on bail upon furnishing a bond of Rs.25,000/-, with two sureties of Rs.12,500/- each, one of whom must be local, to the satisfaction of the learned Judge, Special Court under the NDPS Act at Jhargram, and on further conditions that he shall not leave the jurisdiction of the learned Trial Court without the leave of the learned Trial Court and shall report to the Officer-in-Charge of the Jhargram GRPS Police Station twice every week until further orders.
6. The petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence and/or commit any cognizable offence in any manner whatsoever.
7. In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this Court.
8. The application for bail is, accordingly, allowed.

9. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)