

20.10.2020
Sl. No.48
akd
[ALLOWED]

C. R. M. 8216 of 2020 [via video conferencing]

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 08.10.2020 in connection with NCB Crime No. 42/NCB/KOL/2017 dated 10.07.2017 under Sections 25A/29 of the NDPS Act. (NDPS Case No.272 of 2017)

And

In Re: ***Robiul Sk. @ Rabiul Sheikh***

... .. Petitioner

Mr. Tapodip Gupta .. Advocate

... .. for the petitioner

Mr. Y. J. Dastoor .. Ld. Addl. Solicitor General

Mr. Phiroze Edulji .. Advocate

Mr. Sagar Saha .. Advocate

... .. for the NCB

It is submitted on behalf of the petitioner that he is in custody for about 110 days. It is further submitted that co-accused namely, Rahim Seikh @ Sk. @ Kalu Seikh has been granted pre-arrest bail.

Learned Additional Solicitor General opposes the prayer for bail.

Having considered the materials on record and keeping in mind the facts and circumstances of the case and as co-accused namely, Rahim Seikh @ Sk. @ Kalu Seikh has been granted pre-arrest bail, we are of the opinion that further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely ***Robiul Sk. @ Rabiul Sheikh***, be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Judge, Special Court under the NDPS Act, Berhampore, Murshidabad subject to condition that the said 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.

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.

The application for bail, thus, stands **allowed**.

All concerned authorities shall act in terms of the copy downloaded from the official website of this court.

(Md. Nizamuddin, J.)

(Joymalya Bagchi, J.)