

C.R.M. 9637 of 2020
(Through Video Conference)

In the matter of : An application for bail under section 439 of the Code of Criminal Procedure in connection with Jalangi P.S. Case No. 316 of 2020 dated 29.07.2020 under sections 21(C)/29 of the Narcotic Drugs and Psychotropic Substances Act.

And

In the matter of : Najim Mondal @ Lalu @ Nijam

Mr. Ali Ahsan Alamgir

... ... for the petitioner

Mr. Sanjoy Bardhan

Mr. Palash Chandra Majhi

... ... for the State

Having considered the materials on record and bearing in mind the extent of complicity of the petitioner in the alleged crime in the light of the submission that no narcotic substance was recovered from his possession and as co-accused has been enlarged on bail, we are of the opinion that the petitioner has been able to rebut the statutory restrictions under section 37 of the NDPS Act and he may be granted bail.

Accordingly, 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, Murshidabad subject to the condition that the 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 the petitioner fails to do so without justifiable cause, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this court.

The application for bail is, thus, allowed.

The parties shall act in terms of the copy of the order downloaded from the official website of this court.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)