

17.12.2020
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Sdas
allowed

**CRM 10484 of 2020
(via video conference)**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Debra Police Station Case No. 244 of 2020 dated 09.06.2020 under Section 20(b)(ii)(C) of the NDPS Act.

And

In Re : Md. Mafizul Haque Molla petitioner

Ms. Minoti Gomes
.....for the petitioner

Mr. N. Ahmed, learned A.P.P.
..... for the State

Learned Counsel appearing for the petitioner submits that the petitioner is in custody for 181 days and co-accused is on bail.

Learned Counsel appearing for the State opposes the prayer for bail.

In view of extent of complicity of the petitioner in the alleged crime and as co-accuseds are on bail, we are inclined to extend the same privilege to the petitioner also.

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, Paschim Medinipur, 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 the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without further reference to this Court.

The application for bail is, accordingly, allowed.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)