

10.08.2021
Item no.66.
Court No.32.
AB
(Allowed)

(Via Video Conference)

CRM No. 4007 of 2021

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 09.06.2021 in connection with Special Case NDPS No.129 of 2016 Dtd. 16.3.2016 under Section 18 (c) of the NDPS Act

And

In the matter of : Feku Mandal @ Fekku Mondal

.....Petitioner.

Ms. Minoti Gomes,
Mr. Kalidas Sahafor the Petitioner.

Mr. Swapan Banerjee,
Mr. Suman Defor the State.

The petitioner seeks parity with co-accused persons, who stand on the same footing and have been enlarged on bail by Coordinate Benches of this Court vide order dated 10.7.2018 in CRM No.4508 of 2018 and order dated 23.8.2018 in CRM No.6292 of 2018. The petitioner is in custody for 180 days.

The State fairly submits that the petitioner stands on the same footing as the co-accused persons, who have been granted bail earlier.

In view of the same and regard being had to the fact that similarly circumstanced co-accused persons have been

granted bail earlier, we are inclined to extend similar 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 the NDPS Act at Malda, and on further conditions that he shall remain within the jurisdiction of the concerned police station and shall report to the Officer-in-Charge of the concerned police station once in a fortnight until further orders.

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 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.

The application for bail is, accordingly, allowed.

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

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)

