

23.08.2021

Court No.28  
Item No.45  
(ALLOWED)

Ab

**CRM 4249 of 2021**  
**(Via Video Conference)**

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed on 21.06.2021 in connection with Special Case No. 16 of 2016 (Ref. No. S.I.'s S.L. no. 40 of 2015-16, dated 11.01.2016) of State Excise, English Bazar Circle, Malda, under Sections 8(b)/18(c) of the Narcotic Drugs and Psychotropic Substances Act;

And

In the matter of : **Sridam Mandal @ Shridam Mandal.**  
**...Petitioner**

**Mr. Mounick Ghosh.**

**...For the Petitioner**

**Mr. Sanjoy Bardhan,**  
**Ms. Manisha Sharma.**

**... For the State**

The Advocate-on-record of the petitioner undertakes to affirm and stamp the petition/application as per the Rules within four weeks from date. Subject to such undertaking, the application is taken up for hearing.

The petitioner has filed the instant application for bail under Section 439 of the Code of Criminal Procedure after being arrested in connection with Special Case No. 16 of 2016 (Ref. No. S.I.'s S.L. no. 40 of 2015-16, dated 11.01.2016) of State Excise, English Bazar Circle, Malda, under Sections 8(b)/18(c) of the Narcotic Drugs and Psychotropic Substances Act.

It is submitted by the learned Advocate appearing for the petitioner that the petitioner is in custody since 22<sup>nd</sup> March 2021 and other seven accused persons standing in the same footing have already been granted bail by this Court.

The learned Advocate appearing for the State opposes the

prayer for bail and submits that the case is at the stage of trial.

We have considered the submission of the learned Advocate appearing for the respective parties and have perused the case diary.

Having considered the submissions of the learned Advocate appearing for the respective parties and the material in the CD, the period of detention of the petitioner in custody and further that other accused persons standing on the same footing are on bail, we are inclined to grant bail to the petitioner.

Accordingly, we direct that the petitioner shall be released on bail upon furnishing a bond of Rs.10,000 /- (Rupees Ten Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Special Judge, Additional District Judge, Malda, and on condition that during bail he shall appear on each and every date of hearing and shall not tamper with the evidence nor intimidate the witnesses. In the event the petitioner fails to comply with any of the above directions, the learned court will be at liberty to cancel the bail bond of the petitioner without any further reference to this Court.

The application for bail, being CRM 4249 of 2021, is thus **allowed.**

**(Harish Tandon, J)**

**(Bibek Chaudhuri, J.)**