

C.R.M. 6865 of 2021

In Re : An application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with Nowda P.S. Case No.152 / 2021 dated 04.07.2021 under sections 21(b)/29 of the N.D.P.S. Act, 1985.

And

In the matter of : Oliul Islam.

...Petitioner.

Mr. Kaustav Bagchi,
Mr. Amanul Islam,
Mr. Sourav Mukherjee,
Mr. Debayan Ghosh

... for Petitioner.

Mr. Swapan Banerjee,
Ms. Purnima Ghosh

...for State.

Learned Advocate for the petitioner moves the application for bail under Section 439 of the Code of Criminal Procedure in connection with Nowda P.S. Case No.152 / 2021 dated 04.07.2021 under sections 21(b)/29 of the N.D.P.S. Act, 1985. Learned Advocate prays for bail on the ground that the accused is in custody for 120 days and the co-accused persons were granted bail on earlier occasion by a coordinate Bench of this Court in C.R.M. No.6620 of 2021. Learned Advocate prays for bail on parity.

Learned prosecutor submits that she has no objection relating to the submissions made on behalf of the petitioner.

Considering the submissions, it appears that intermediate quantity of narcotic substance was seized from the joint possession of the three persons, out of them, two persons were

already granted bail by order dated 4th October, 2021 in C.R.M. No.6620 of 2021. The petitioner having undergone detention for a long period and since charge sheet has already been submitted, the prayer for bail is allowed.

The petitioner shall accordingly be released on bail upon furnishing a 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 N.D.P.S. Act, - cum A.D.J., 5th Court, Berhampore, Murshidabad. The petitioner shall make himself available before the Learned Trial Court on every date fixed for trial.

CRM 6865 of 2021 is allowed and disposed of on the above basis.

All parties are to act on the server copy downloaded from the Official Website.

(Ananda Kumar Mukherjee, J.)

(Shivakant Prasad, J.)