

C.R.M. (NDPS) 383 of 2022

18.04.2022
Sl. 42
Court No.29
(sourav)
(Allowed)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with **Lalgola** Police Station Case No. **698** of **2021** dated **17.09.2021** under Sections **21(c)/29** of the Narcotic Drugs and Psychotropic Substance Act, 1985.

And

In the matter of: **Umar Ali**

....petitioner.

Mr. Tapodip Gupta

...for the petitioner.

Mr. Swapan Banerjee

Mr. Suman De

... for the State.

Leave granted to the learned advocate for the petitioner to correct the cause-title.

Petitioner prays for bail.

Learned advocate appearing for the petitioner submits that the petitioner stands on the same footing as that of the co-accused who were enlarged on bail by this Hon'ble Court on April 4, 2022 passed in CRM (NDPS) 27 of 2022 and on April 5, 2022 passed in CRM (NDPS) 36 of 2022.

Learned advocate appearing for the State does not dispute the claim for parity of the petitioner.

In such circumstances, on the ground of parity, we are of the view that the petitioner is able to overcome the restrictions under Section 37 of the NDPS Act, 1985.

Consequently, we grant bail to the petitioner.

Accordingly, the petitioner 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, Berhampore, Murshidabad, subject to the condition that during bail he shall appear before the learned trial court on every date of hearing and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to comply with the conditions as enshrined hereinbefore, it is open to the trial court to cancel the bail without any further reference to this Court.

The application for bail being **C.R.M. (NDPS) 383 of 2022** is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

