

27.04.2022

Sl. 46

Court No.29

suvayan

(Allowed)

C.R.M. (NDPS) 420 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Kumarganj** P.S. case No. **11 of 2019** dated **14/01/2019** under Sections **21/22/23** of the Narcotic Drugs and Psychotropic Substances Act.

And

In the matter of: Manglu Roy @ Arjun Roy

....petitioner

Mr. Kaushik Chaudhury

Ms. Busra Khatun

...for the petitioner.

Mr. T. D. Nandy

...for the State.

Petitioner seeks bail on the ground of parity with the another co-accused who was granted anticipatory bail on March 15, 2022 in CRM (A) 1233 of 2022.

The claim for parity is not disputed on behalf of the State.

Considering the fact that no contraband was recovered from the possession of the petitioner and considering the fact that the police filed charge-sheet and considering the fact that the police are proceeding against the petitioner on the basis of the statement of the co-accused made while in custody and considering the fact that the petitioner stands on the same footing as that of the another co-accused who was enlarged on anticipatory bail on March 15, 2022, we are of the view that the petitioner is able to overcome the restrictions under Section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

Consequently, we grant bail to the petitioner.

Accordingly, the petitioner 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 the NDPS Act, Balurghat, Dakshin Dinajpur subject to the condition that during bail the petitioner shall appear before the learned trial court on the date fixed till disposal of the trial and the petitioner shall not intimidate witnesses 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) 420 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)