

17.06.2022.
04.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 583 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No. 40 of 2021 arising out of Jalangi P.S. Case No.46 of 2021 dated 01.03.2021 under Sections 21(c)/29 of the N. D. P. S. Act.

In the matter of : Ibrahim Mondal.

... Petitioner.

Mr. Niladri Sekhar Ghosh,
Mr. Tapadip Gupta,
Ms. Srimoyee Mukherjee.

...for the Petitioner.

Mr. Saryati Datta.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner is in custody for about 397 days. Co-accused has been granted bail.

Learned Advocate for the State opposes the prayer for bail and produces the Case Diary.

We have considered the materials on record. Petitioner stands on the same footing with co-accused who has been enlarged on bail.

In view of the aforesaid circumstance and the period of detention suffered by the petitioner, we are inclined to grant bail to the petitioner.

Accordingly, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each 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, Berhampore, Murshidabad subject to condition that he shall

appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

This application for bail is, thus, disposed of.

(Ananya Bandyopadhyay,J.)

(Joymalya Bagchi, J.)