

12.07.2022
Sl. No.11
akd
[ALLOWED]

C. R. M. (NDPS) 764 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 07.07.2022 in connection with Gangarampur Police Station Case No. 406 of 2020 dated 19.11.2020 under Sections 21(c)/22(c)/23(c)/25/27A/28/29 of the NDPS Act.

And

In Re: **Saddam Hossain**

... .. Petitioner

Mr. Mazhar Hossain Chowdhury

... .. for the petitioner

Mr. Antarikhya Basu

... .. for the State

It is submitted on behalf of the petitioner he is in custody for about 96 days. It is further submitted no narcotic substance was recovered from his possession. Co-accuseds have been granted bail/anticipatory bail by this court.

Learned advocate appearing for the State opposes the prayer for bail.

Keeping in mind the extent of complicity of the petitioner in the alleged crime in the light of the submission no narcotic substance was recovered from his possession and as co-accuseds similarly circumstanced with the petitioner have been granted bail/anticipatory bail by this court, we are inclined to extend the same privilege to the petitioner also.

Therefore, the accused/petitioner, namely **Saddam Hossain**, be released on bail upon furnishing 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, 1985, Balurghat, Dakshin Dinajpur subject to

condition that the said petitioner 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 or commit similar offences in future.

In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application for bail, thus, stands **allowed**.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)