

18.08.2022
Sl. No.2
akd
[ALLOWED]

C. R. M. (NDPS) 932 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 11.08.2022 in connection with Kumarganj Police Station Case No. 54 of 2018 dated 26.03.2018 under Sections 21/22/23 of the NDPS Act.

And

In Re: ***Rabbani Sarkar @ Mukul***

... .. Petitioner

Mr. Anindya Ghosh
Ms. Sumita Sarkar

... .. for the petitioner

Md. Anwar Hossain
Ms. Sreyashee Biswas

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for over 50 days. It is further submitted no narcotic substance was recovered from his possession. Co-accuseds have been enlarged on bail.

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

In view of the aforesaid fact, period of detention suffered by the petitioner and as co-accuseds have been enlarged on bail, we are inclined to extend the same privilege to the petitioner also.

Therefore, the accused/petitioner, namely ***Rabbani Sarkar @ Mukul***, 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, 3rd Court, 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.)