

04.01.2022

34  
Ct. No. 29  
**KAUSHIK**  
Allowed

**C.R.M. 8788 of 2021**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with **NDPS** Case No. **67** of **2016** and S.I.s S.L. No. 126/2015-16 dated **06.02.2016** under Section 18(c)/8(b)/29/46 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In Re : Afzal Ali Sk @ Sadek Sk

..... petitioner

Mr. Mrityunjoy Chatterjee

.....for the petitioner

Mr. Sanjoy Bardhan

Mr. Palash Chandra Majhi

....for the State

Petitioner seeks bail.

Learned advocate for the petitioner submits that, the petitioner is in custody for 63 days. He submits that, since the police filed charge-sheet, further detention of the petitioner is not required. He draws the attention of the Court to the several orders of the High Court by which bail and anticipatory bail were granted in respect of 'poppy cultivation'.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary.

Considering the fact that the police filed charge-sheet and considering the fact that the co-accused were granted bail, we grant bail to the petitioner.

Accordingly, we direct that the petitioner shall 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 Special Judge under NDPS Act, Malda**, subject to the condition that the petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In default of the petitioner observing any of the conditions of bail, it shall stand cancelled by the jurisdictional Court without further reference to this Court.

The application for bail is, accordingly, allowed.

**(Debangsu Basak, J.)**

**(Bibhas Ranjan De, J.)**