

14.11.2022.
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as
(Allowed)

C.R.M. (NDPS) 1328 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Case No.N-16 of 2022 arising out of Dum Dum P. S. Case No.130 of 2022 dated 21.02.2022 under Sections 20(b)/21(c) of the NDPS Act.

In the matter of : Udes Karan & Anr.

.... Petitioners.

Mr. Manjit Singh,
Mr. Ganganjyot Singh,
Mr. Biswajit Mal,
Mr. Abhishek Bagal.

...for the Petitioners.

Mr. Ranabir Roy Chowdhury,
Mr. Mainak Gupta.

...for the State.

Petitioners submit that co-accused Vinita Kumari @ Vinita was granted statutory bail on the ground the extension of period of detention under proviso to Section 36A(4) of the NDPS Act was unlawful. Petitioners have prayed for similar relief.

This is not disputed by the learned Advocate for the State.

In view of the aforesaid circumstance, we are inclined to grant bail to the petitioners.

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 the NDPS Act, Barrackpore, North 24-Paraganas subject to condition that they 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 petitioners fail to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel their bail in accordance with law without further reference to this Court.

The application for bail is, thus, disposed of.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)