

23.11.2022.
10.
Ct.No.28.
as
(Allowed)

C.R.M. (NDPS) 1360 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Special Case No.01 of 2017 arising out of Gangarampur P. S. Case No.595 of 2016 dated 26.11.2016 under Sections 22/25/27 of the NDPS Act and charge sheet submitted under Sections 22/25/27 of the NDPS Act.

In the matter of : Fulkumar Mondal @ Mandal.
.... Petitioner.

Ms. Busra Khatoon.
...for the Petitioners.

Mr. Sudip Ghosh,
Mr. Apurba Kr. Datta.
...for the State.

Petitioner is in custody for 105 days. Co-accused has been enlarged on bail. Investigation is complete. He prays for bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Keeping in mind the nature of accusation, period of detention suffered by the petitioner and as co-accused has been enlarged on bail, we are inclined to extend the same privilege to the petitioner also.

Accordingly, 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 Judge, Special Court under the NDPS Act, Balurghat, Dakshin Dinajpur subject to condition that the

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.

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.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)