

30.11.2022.
05.
Ct.No.28.
as
(Allowed)

C.R.M. (NDPS) 1408 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with N Case No.126 of 2019 arising out of New Town P. S. Case No.346 of 2019 dated 28.08.2019 under Sections 21(C)/29 of the NDPS Act.

In the matter of : Azad Khan & Anr.

.... Petitioners.

Mr. Angshuman Chakraborty,
Mr. S. S. Saha.

...for the Petitioners.

Mr. Sanjoy Bardhan,
Mr. Palash Ch. Majhi.

...for the State.

Petitioners are in custody for more than three years.
Co-accused viz., Kripal Singh has been enlarged on bail by the Hon'ble Apex Court in SLP (Crl.) No.532 of 2022.

Learned Advocate for the State opposes the prayer for bail.

Under such circumstances, we are inclined to extend the same privilege to the petitioners also.

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 N.D.P.S. Act, Barasat, 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.

This application for bail is, thus, disposed of.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)