

07.12.2022
Sl. No.9
[ALLOWED]

C. R. M. (NDPS) 1445 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 01.12.2022 in connection with Titagarh Police Station Case No. 623 of 2022 dated 12.10.2022 under Sections 20(b)(ii)(B)/29 of the NDPS Act.

And

In Re: ***Bilat Ali Molla @ Bilat Ali Mondal @ Md. Hazi & Ors.***
... .. Petitioners

Mr. Koustav Bagchi
Mr. Debayan Ghosh
Ms. Priti Kar

... .. for the petitioners

Mr. Saswata Gopal Mukherjee .. Id. Public Prosecutor
Mr. Ranadeb Sengupta

... .. for the State

It is submitted on behalf of the petitioners that they are in custody for more than a month.

Learned Additional Public Prosecutor opposes the prayer for bail.

We have considered the materials on record. Quantity of narcotic substance seized is of intermediate weight. In view of the aforesaid fact and period of detention suffered by the petitioners, we are of the opinion further detention of the accuseds/petitioners is not necessary.

Therefore, the accuseds/petitioners, namely ***(1) Bilat Ali Molla @ Bilat Ali Mondal @ Md. Hazi, (2) Md. Sahabuddin, (3) Saddam Ali, (4) Sonu Khan & (5) Sk. Sahiluddin @ Raju @ Sagar,*** be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten thousand only) 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-cum-Additional District & Session Judge, 1st Court, Barrackpore, North 24-Parganas subject to condition that the said

petitioners 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 they fail to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel their bail automatically without reference to this court.

The application for bail, thus, stands **allowed**.

(Siddhartha Roy Chowdhury, J.)

(Joymalya Bagchi, J.)