

24.01.2023.
13.
Ct.No.28.
as
(Allowed)

C.R.M. (NDPS) 97 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.70 of 2011 arising out of Raghunanthganj P. S. Case No.662 of 2011 dated 19.11.2011 under Sections 20(b) of the NDPS Act.

In the matter of : Saidur Sk. @ Saidul Sk. @
Saidur Rahaman.

.... Petitioner.

Mr. Jissan Hossain,
Ms. Chandrima Debnath,
Mr. K. Mondal.

...for the Petitioner.

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

...for the State.

Petitioner is in custody for 53 days. Co-accused has been acquitted.

Learned Advocate for the State opposes the bail prayer.

We have considered the materials on record. Though petitioner had absconded for a protracted period of time i.e. more than a decade, co-accused from whom narcotic substance had been recovered was acquitted.

In view of the aforesaid fact possibility of conviction of the petitioner appears to be bleak.

Under such circumstances, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner viz., Saidur Sk. @ Saidul Sk. @ Saidur Rahaman 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 N.D.P.S. Act, Murshidabad at Berhampore subject to condition that he 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.)