

21.02.2023
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allowed

CRM(NDPS) No. 98 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Jiaganj Police Station Case No. 276 of 2022 dated 09.10.2022 under Sections 21(c)/29 of the NDPS Act.

And
In Re : Md. Azizul Sk. petitioner

Mr. Jisan Iqbal Hossain
.....for the petitioner

Mr. Swapan Banerjee
Mr. Suman De
..... for the State

Heard the learned Counsels for both the parties.

We have considered the materials on record. No narcotics was recovered from the possession of the petitioner. Co-accused is on bail. Under such circumstances, we are inclined to grant bail to the petitioner.

Accordingly, we direct that 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 NDPS Act, Murshidabad at Berhampore, subject to condition that the petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to

cancel his bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)