

30.01.2023.
15.
Ct.No.28.
as
(Allowed)

C.R.M. (NDPS) 117 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.136 of 2021 arising out of Chapra P. S. Case No.528 of 2021 dated 06.12.2021 under Sections 21(c)/29 of the NDPS Act.

In the matter of : Salaam Mondal @ Salam @
Chalaam Mondal.

.... Petitioner.

Mr. Prabir Majumder,
Mr. S. Majumder.

...for the Petitioner.

Mr. Saryati Datta.

...for the State.

Petitioner is in custody for 132 days. Co-accused is on bail. He prays for bail on parity.

Learned Advocate for the State opposes the bail prayer.

We have considered the materials on record. No narcotics was recovered from the petitioner. Co-accused similarly circumstanced with the petitioner has been enlarged on bail. Hence, we are inclined to extend the same privilege to the petitioner also.

Accordingly, the petitioner viz., Salaam Mondal @ Salam @ Chalaam Mondal 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, Nadia at Krishnagar 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.)