

08.02.2023

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Allowed

C.R.M. (NDPS) No. 188 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Murutia Police Station Case No. 223 of 2022 dated 11.09.2022 under Sections 21(c)/29 of the NDPS Act.

And

In Re : Jiyarul Mondal @ Jiyarul Ray @ Jiarul Mondal @ Rai petitioner

Mr. Sumanta Das

.....for the petitioner

Mr. Ranadeb Sengupta

.....for the State

Learned Counsel for the petitioner submits petitioner is in custody for 93 days. It is also submitted co-accused is on bail. He prays for bail.

Learned Counsel appearing for the State produces the case diary.

We have considered the materials on record. No narcotics was recovered from the petitioner. Co-accused, similarly circumstanced with him, has been enlarged 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 Chief Judicial Magistrate, Krishnagar, Nadia, subject to conditions 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 he 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.

The application for bail is, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)