

15.02.2023

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Allowed

C.R.M. (NDPS) No. 272 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. 15 of 2019 dated 06.01.2019 under Sections 20/29 the NDPS Act.

And

In Re : Bariul Alam @ Biltu petitioner

Ms. Chandrima Debnath

.....for the petitioner

Mr. Rudradipta Nandy, learned APP

.....for the State

Learned Counsel for the petitioner submits he is in custody for more than four years. Co-accuseds have been enlarged on bail. He prays for bail.

We have considered the materials on record. Petitioner is in custody for more than four years. Co-accuseds, similarly circumstanced with the petitioner, have been enlarged on bail. Accordingly, 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, subject to conditions that petitioner 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 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.

The application for bail is, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)