

29.03.2023.
26.
Ct.No.28.
as
(Allowed)

C.R.M. (NDPS) 572 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection NDPS Case No.33 of 2021 arising out of Uttarpura P. S. Case No.418 of 2021 dated 08.10.2021 under Sections 21(c)/29 of the NDPS Act.

In the matter of : Biswanath Deb.

.... Petitioner.

Mr. Uday Sankar Chattopadhyay,
Ms. Rajashree Tah,
Ms. Trisha Rakshit.

...for the Petitioner.

Mr. Ranabir Roy Chowdhury,
Mr. Mainak Gupta.

...for the State.

Heard the learned Advocates for the parties.

We have considered the materials on record. No videography was made of the alleged seizure. It is contended co-accused has been enlarged on bail.

Under such circumstances, we are inclined to extend the same privilege to the petitioner also.

Accordingly, the petitioners viz., Biswanath Deb 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 the NDPS Act, Hooghly 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.)