

06.04.2023
Sl. No.4
[ALLOWED]

C. R. M. (NDPS) 586 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 13.03.2023 in connection with English Bazar Police Station Case No.1687 of 2021 dated 04.12.2021 under Sections 20(b)(ii)(c)/27A/29 of the NDPS Act. (NDPS Case No.177 of 2021)

And

In Re: **Anjar Ali @ Anjarul Hoque**

... .. Petitioner

Mr. Arup Kumar Bhowmick

... .. for the petitioner

Mr. Swapan Banerjee

Mr. Suman De

... .. for the State

Pursuant to our earlier direction, Investigating Officer is personally present before this court and files affidavit disclosing complicity of the petitioner. His presence is noted and dispensed with.

It is alleged in the FIR name of the petitioner transpired from co-accused. But during custodial interrogation co-accused did not name the petitioner.

Under such circumstances, we are inclined to grant bail to the petitioner.

Therefore, the accused/petitioner, namely **Anjar Ali @ Anjarul Hoque**, be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten thousand only), 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-cum-Additional District Judge, 4th Court, Malda subject to condition that the said 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 or commit similar offences in future.

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 automatically without reference to this court.

The application for bail, thus, stands allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)