

30.03.2023.
21.
Ct.No.28.
as
(Allowed)

C.R.M. (NDPS) 588 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection NDPS Case No.120 of 2021 arising out of English Bazar P. S. Case No.1556 of 2021 dated 10.11.2021 under Sections 21(C)/27A/29 of the NDPS Act.

In the matter of : Sukhendu Sekhar Das.

.... Petitioner.

Mr. Amitabha Karmakar,
Mr. Arup Kr. Bhowmick.

...for the Petitioner.

Mr. Binay Panda,
Ms. Puspita Saha.

...for the State.

Petitioner is in custody for 44 days. No narcotics was recovered from his possession. Co-accused has been enlarged on bail. He prays for bail.

Learned Advocate for the State opposes the bail prayer. He submits petitioner is a proclaimed offender.

We have considered the materials on record. Petitioner stands on the same footing with co-accused viz, Jayanta Das @ Jin who has been enlarged on bail.

Under such circumstances, we are inclined to grant bail to the petitioner also subject to strict conditions.

Accordingly, the petitioner viz., Sukhendu Sekhar Das 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, Malda 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 and on further condition that petitioner while on bail shall remain within the jurisdiction of English Bazar police Station except for the purpose of attending court proceeding and shall report to the Officer-in-charge of English Bazar police Station once in a week until further orders.

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.)