

20.04.2023.
07.
Ct.No.28.
as
(Allowed)

C.R.M. (NDPS) 812 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection NDPS Case No.79 of 2022 arising out of Lalgola P. S. Case No.98 of 2022 dated 27.03.2022 under Sections 21(c)/29 of the NDPS Act read with Sections 13/14 of the Foreigners Act.

In the matter of : Soumitra Mandal.

.... Petitioner.

Mr. Ali Ahsan Alamgir,
Ms. Rabia Khatoon,
Ms. Soma Mal.

...for the Petitioner.

Mrs. Anasuya Sinha,
Mr. Pinak Kr. Gupta.

...for the State.

Petitioner submits no narcotics was recovered from his possession. Co-accused viz., Asadul Hoque @ Kalu has been granted bail. He prays for bail.

Learned Advocate for the State produces the Case Diary.

We have considered the materials on record. No narcotics was recovered from his possession. Co-accused viz., Asadul Hoque @ Kalu and Golam Rasul @ golam @ Golam Rosul similarly circumstanced with petitioner have been enlarged on bail.

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

Accordingly, the petitioners viz., Soumitra Mandal 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, Murshidabad at Berhampore 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.)