

09.06.2023
Sl. No.12
akd
[ALLOWED]

C. R. M. (NDPS) 1091 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 05.06.2023 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.

And

In Re: **Selim Sk.**

... .. Petitioner

Mr. Arup Kumar Bhowmick

... .. for the petitioner

Mr. Ranabir Roy Chowdhury

Mr. Mainak Gupta

... .. for the State

It is submitted on behalf of the petitioner that no narcotics was recovered from his possession. Co-accused viz. Anjar Ali @ Anjarul Hoque has been enlarged on bail. Accordingly, he prays for bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Co-accused viz. Anjar Ali @ Anjarul Hoque has been enlarged on bail. Petitioner stands on the same footing with the said co-accused. Hence, we are inclined to extend the same privilege to the petitioner also.

Therefore, the accused/petitioner, namely **Selim Sk.**, 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.)