

09.06.2023  
Sl. No.14  
**akd**  
[ALLOWED]

**C. R. M. (NDPS) 1093 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 Bhagwangola Police Station Case No.416 of 2021 dated 04.09.2021 under Sections 21(c)/29 of the NDPS Act. (NDPS Case No.188 of 2021)

And

In Re: ***Mishrul Hoque***

... .. Petitioner

Mr. Ali Ahsan Alamgir  
Ms. Soma Mal  
Ms. June Modak

... .. for the petitioner

Mr. Saryati Datta

... .. for the State

Heard the learned Advocates appearing for both the parties.

We have considered the materials on record. Co-accused viz. Firoj Kamal @ Kathu @ Potu has been enlarged on bail by the Hon'ble Apex Court. Petitioner is in custody for about one year and nine months. Trial has not commenced as yet. Hence, we are inclined to extend the same privilege to the petitioner also.

Therefore, the accused/petitioner, namely ***Mishrul 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, Berhampore, Murshidabad 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.)**