

04.07.2023.
17.
Ct.No.28.
as
(Allowed)

C.R.M. (NDPS) 1194 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.151 of 2022 arising out of English Bazar P. S. Case No.1333 of 2022 dated 25.08.2022 under Sections 21(C)/29 of the NDPS Act read with Section 14(A)(C) of Foreigners Act.

In the matter of : Tilak Mandal.

.... Petitioner.

Mr. Kallol Mondal,
Mr. Musharraf Alam.

...for the Petitioner.

Mr. Joydeep Roy,
Ms. Sujata Das.

...for the NCB.

Petitioner submits no narcotics was recovered from his possession. He has been falsely implicated. Co-accused Manas Mandal has been granted anticipatory bail.

Learned Advocate for the State produces the case diary.

We have considered the materials on record. Co-accused Manas Mandal has been granted pre-arrest bail by a Co-ordinate Bench of this Court. Petitioner stands on a similar footing with the said co-accused and may be released on bail.

Accordingly, the petitioner viz., Tilak 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, 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.

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.)