

17.07.2023.
17.
Ct.No.28.
as
(Allowed)

C.R.M. (NDPS) 1262 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.215 of 2019 arising out of Jalangi P.S. Case No.790 of 2019 dated 20.11.2019 under Sections 21(C)/29 of the NDPS Act.

In the matter of : Minal Mondal @ Minajul Mondal @
Minajul Sk.

.... Petitioner.

Mr. Arnab Chatterjee,
Ms. Dhanasree Biswas,
Ms. Poulami Bose.

...for the Petitioner.

Mr. Sanjoy Bardhan,
Ms. Baishakhi Chatterjee.

...for the State.

Petitioner submits no narcotics was recovered from his possession. Co-accused have been acquitted. He prays for bail.

Learned Advocate for the State opposes the bail prayer. He submits petitioner had absconded.

We have considered the materials on record. Though conduct of the petitioner is not appreciable, no narcotics was recovered from his possession. There is no legally admissible evidence connecting him with the alleged offence. Co-accused have been acquitted.

Under such circumstances, we are inclined to enlarge the petitioner on bail, however, subject to conditions.

Accordingly, the petitioner viz., Minal Mondal @ Minajul Mondal @ Minajul Sk. 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 and on further condition that the petitioner while on bail shall remain within the jurisdiction of Jalangi Police Station and report to the Officer-in-charge of Jalangi, 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.)