

02.08.2023  
Sl. No.11  
**akd**  
[ALLOWED]

**C. R. M. (NDPS) 1347 of 2023**

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 25.07.2023 in connection with Raniganj Police Station Case No.293 of 2022 dated 20.05.2022 under Sections 20(b)(ii)(c)/25/29 of the NDPS Act. (NDPS Case No.14 of 2022)

And

In Re: ***Babru Bahan Bhuyan***

... .. Petitioner

Mr. Kunal Ganguly

... .. for the petitioner

Mr. Sanjay Bardhan  
Ms. Baisakhi Chatterjee

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 445 days. It is further submitted co-accused have been enlarged on bail. Accordingly, he renews his prayer for bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Bail prayer of the petitioner was rejected earlier. Co-accused have been enlarged on bail. Petitioner stands on the same footing with co-accused who have been enlarged on bail. Under such circumstances, we are inclined to enlarge the petitioner on bail on parity.

Therefore, the accused/petitioner, namely ***Babru Bahan Bhuyan***, 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 Sessions Judge, 3<sup>rd</sup> Court, Asansol, Paschim Bardhaman 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.

**(Gaurang Kanth, J.)**

**(Joymalya Bagchi, J.)**