

03.10.2023
Sl. No.9
akd
[ALLOWED]

C. R. M. (NDPS) 1582 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 12.09.2023 in connection with NCB Crime No.03/NCB/KOL/2018 dated 11.01.2018 under Sections 20(a)(1)/46/32 of the NDPS Act. (NDPS Case No.12 of 2018)

And

In Re: ***Md. Ruhul Amin Mondal @ Ruhul Mondal***

... .. Petitioner

Mr. Prabir Majumder
Mr. Snehansu Majumder

... .. for the petitioner

Mr. Kallol Mondal
Mr. Subrata Santra

... .. for the NCB

1. It is submitted on behalf of the petitioner that he is in custody for about nine months. Investigation is complete. Accordingly, he prays for bail.
2. Learned Advocate for the NCB opposes the prayer for bail and submits petitioner had absconded for a protracted period of time.
3. We have considered the materials on record. Allegations involve illegal cultivation of *cannabis* plants. Seizures have been made. Investigation is complete. Under such circumstances and in view of the period of detention suffered by the petitioner, we are of the opinion further detention of the accused/petitioner is not necessary and he may be enlarged on bail however, subject to strict conditions.
4. Therefore, the accused/petitioner, namely ***Md. Ruhul Amin Mondal @ Ruhul Mondal***, 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, Krishnanagar,

Nadia 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 and on further condition that the petitioner, while on bail, shall remain within the district of Nadia and shall report to the Officer-in-charge, Thanapara Police Station once in a week until further orders.

5. 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.
6. The application for bail, thus, stands allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)