

26.09.2023
Sl. No.18
akd
[ALLOWED]

C. R. M. (NDPS) 1588 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 21.09.2023 in connection with Bhagwangola Police Station Case No.434 of 2021 dated 26.09.2021 under Sections 21(c)/29 of the NDPS Act. (NDPS Case No. 208 of 2021)

And

In Re: **Merajul Sk.**

... .. Petitioner

Mr. Tapodip Gupta

... .. for the petitioner

Mr. Antarikhya Basu

... .. for the State

1. It is submitted on behalf of the petitioner that co-accused viz. Halim Sk. has been enlarged on bail by the Hon'ble Apex Court. Petitioner stands on the same footing with the said co-accused. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the prayer for bail.
3. We have considered the materials on record. Petitioner stands on the same footing with co-accused viz. Halim Sk. who has been enlarged on bail by the Hon'ble Apex Court. Under such circumstances, we consider it prudent to enlarge the petitioner on bail.
4. Therefore, the accused/petitioner, namely **Merajul Sk.**, 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 District Judge, 2nd Court, 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.

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.)