

27.09.2023

4

sdas

Allowed

C.R.M. (NDPS) No. 1597 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure arising out of Jalangi Police Station Case No. 30 of 2022 dated 24.01.2022 under Sections 21(c)/29 of the N.D.P.S. Act and Section 25(i)(a) of the Arms Act.

And

In Re : Sanarul Sk. petitioner

Mr. Jisan Hossain

Ms. Chandrima Debnath

.....for the petitioner

Mr. Sandip Chakraborty

.....for the State

1. Learned Counsel for the petitioner submits he is in custody for 67 days. No narcotics was recovered from him. Co-accused are on bail. He prays for bail.

2. Learned Counsel for the State opposes the prayer for bail.

3. We have considered the materials on record. No narcotics was recovered from the petitioner. Co-accused, similarly circumstanced with the petitioner have been enlarged on bail. Accordingly, we are inclined to extend the same privilege to the petitioner also.

4. Accordingly, we direct that the petitioner 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 NDPS Act, Berhampore, Murshidabad, subject to conditions

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 or commit similar offences in future and on further conditions that the petitioner, while on bail, shall not leave the jurisdiction of Jalangi Police Station except for the purpose of attending court proceedings and shall report to the Officer-in-Charge of the said police station once in a week until further orders.

5. In the event 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.

6. The application for bail is, accordingly, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)