

05.10.2023

13
sdas
Allowed

C.R.M. (NDPS) No. 1628 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bhagwangola Police Station Case No. 434 of 2021 dated 26.09.2021 under Sections 21(c)/29 of the N.D.P.S. Act.

And

In Re : Bahadur Sk. petitioner

Mr. Tapodip Gupta
Mr. Suman Bhanja

.....for the petitioner

Mr. Ranabir Roy Chowdhury
Mr. Sandip Chakraborty

.....for the State

1. Learned Counsel for the petitioner submits he is in custody for one year and ten months. Co-accused has been granted bail by the Hon'ble Apex Court. He prays for bail on parity.

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

3. We have considered the materials on record. Co-accused has been granted bail by the Hon'ble Apex Court. Petitioner stands on the same footing and is entitled to similar relief.

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-cum-Additional District Judge, 2nd Court,

Berhampore, Murshidabad, subject to condition that 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.

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.)