

09.10.2023
tkm/ct 28
sl no. 8

C.R.M. (NDPS) 1641 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Bhagwangola P.S case no. 434 of 2021 dated 26.9.2021 under sections 21 (c)/29 of the NDPS Act
and

Allowed

In Re : Sabed Ali @ Sabir Ali @ Sabir ... petitioner

Mr. T Gupta

..... for the petitioner

Mr. Saryati Datta

..... for the State

1. Petitioner is in custody for more than two years. It is submitted co-accused have been enlarged on bail by the Hon'ble Apex Court as well as this Court. He prays for bail.
2. Learned lawyer for the State opposes the bail prayer.
3. We have considered the materials on record. Petitioner stands on the same footing with the co-accused who have been enlarged on bail. Hence, he is also entitled to the same relief.
4. Accordingly, the petitioner 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 on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.
5. In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.
6. The application being CRM (NDPS) 1641 of 2023 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)