

30.11.2023
Sl. No.23
akd
[ALLOWED]

C. R. M. (NDPS) 1862 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 02.11.2023 in connection with Special Task Force Police Station Case No.06 of 2022 dated 19.02.2022 under Sections 20(b)(ii)(B)/23(b)/22(c)/29 of the NDPS Act. (NDPS Case No.11 of 2022)

And

In Re: **Sk. Imroz @ Munna**

... .. Petitioner

Mr. Kallol Basu
Mr. Apalak Basu
Mr. Nazir Ahmed

... .. for the petitioner

Mr. Swapan Banerjee
Mr. Suman De

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for about two years. Co-accused has been enlarged on bail. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the prayer for bail and submits bail prayer of the petitioner was rejected earlier.
3. We have considered the materials on record. Co-accused has been enlarged on bail. Petitioner stands on the same footing with co-accused. There is little possibility of trial concluding in the near future. 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.
4. Therefore, the accused/petitioner, namely **Sk. Imroz @ Munna**, 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, Bench-I, City Sessions Court, Calcutta 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.)