

18.12.2023  
Sl. No.18  
**akd**  
[ALLOWED]

**C. R. M. (NDPS) 1891 of 2023**

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 20.11.2023 in connection with Jalangi Police Station Case No.322 of 2014 dated 16.04.2014 under Sections 22/23 of the NDPS Act. (NDPS Case No.89 of 2014)

And

In Re: **Saider Molla @ Chhaider Mondal**

... .. Petitioner

Mr. Jisan Iqubal Hossain  
Ms. Chandrima Debnath

... .. for the petitioner

Mr. Saibal Bapuli .. Id. Addl. Public Prosecutor  
Ms. Amita Gaur

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for about 162 days. It is further submitted there is no progress in the matter. Accordingly, he prays for bail.
2. Report is placed on record.
3. Learned Advocate for the State opposes the prayer for bail and submits petitioner had absconded for a protracted period of time.
4. We have considered the materials on record. No narcotics was recovered from the petitioner. Though his conduct is not appreciable, in view of the scanty materials on record and bleak possibility of trial commencing in the near future, we are of the opinion further detention of the accused/petitioner is not necessary and he may be enlarged on bail however, subject to strict conditions.
5. Therefore, the accused/petitioner, namely **Saider Molla @ Chhaider Mondal**, 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, 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 and on further condition that the petitioner, while on bail, shall meet the Officer-in-charge, Jalangi Police Station once in a week until further orders.

6. 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.
7. The application for bail, thus, stands allowed.

**(Gaurang Kanth, J.)**

**(Joymalya Bagchi, J.)**