

01.12.2023

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Allowed

C.R.M. (NDPS) No. 1902 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Lalgola Police Station Case No. 682 of 2021 dated 09.09.2021 under Sections 21(c)/29 of the N.D.P.S. Act.

And

In Re : Ketabul Sk. & Ors. petitioners

Ms. Minoti Gomes

Mr. Jisan Hossain

Ms. Chandrima Debnath

.....for the petitioners

Mr. Bidyut Kumar Roy

Mr. Amanul Islam

.....for the State

1. Learned Counsel for the petitioners submits co-accused has been released on bail by the Hon'ble Apex Court.

2. Learned Counsel for the State opposes the prayer for bail and submits recording of prosecution evidence has commenced.

3. We have considered the materials on record. Co-accused has been enlarged on bail by the Hon'ble Apex Court. Petitioners stand on the same footing with the said co-accused and they are entitled to similar relief.

4. Accordingly, we direct that the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each 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

condition that petitioners 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 petitioners fail to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel their 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.)