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Allowed

C.R.M. (NDPS) No. 1911 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Barasat Police Station Case No. 402 of 2023 dated 26.05.2023 under Sections 20(b)(ii)(c)/25/29 of the N.D.P.S. Act.

And

In Re : Rituraj Sahoo & Ors. .... petitioners

Mr. Angshuman Chakraborty

.....for the petitioners

Mr. Avishek Sinha

.....for the State

1. Learned Counsel for the petitioners submits they are in custody for six months. Co-accused has been enlarged on bail. They pray for bail on similar ground.

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

3. We have considered the materials on record. Co-accused, Hasina Bibi has been enlarged on bail by a co-ordinate Bench of this Court. Petitioners stand on the same footing with the 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 Chief Judicial Magistrate, Barasat, subject to condition that petitioners shall not leave the territorial jurisdiction of the trial court during the

entire period of trial and shall appear before the trial court on every date of hearing until further orders and shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade such person from disclosing such facts to any police officer or the court and/or 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.)**