

18.12.2023

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Allowed

C.R.M. (NDPS) No. 1920 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. 705 of 2021 dated 24.09.2021 under Sections 21(c)/29 of the N.D.P.S. Act.

And

In Re : Kawsar Sk. @ Kawsar Ali petitioner

Mr. Arnab Chatterjee
Ms. Poulami Bose

.....for the petitioner

Mr. Saryati Datta

.....for the State

1. Heard the learned Counsels for the parties.

2. We have considered the materials on record.

Petitioner is in custody for more than two years. Co-accused have been enlarged on bail by the Hon'ble Apex Court. There is little possibility of trial concluding in the near future. Accordingly, we are inclined to grant bail to the petitioner.

3. Accordingly, we direct that the petitioner shall 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, subject to condition that 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.

4. In the event petitioner fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

5. The application for bail is, accordingly, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)