

19.12.2023
Sl. No.3
akd
[ALLOWED]

C. R. M. (NDPS) 1944 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 28.11.2023 in connection with Kumarganj Police Station Case No.160 of 2019 dated 16.08.2019 under Sections 21(c)/22(c)/23(c)/27A of the NDPS Act.

And

In Re: ***Laijur Molla***

... .. Petitioner

Mr. Anindya Ghosh

... .. for the petitioner

Mr. Debasish Roy .. Id. Public Prosecutor

Mr. Navanil De

... .. for the State

1. It is submitted on behalf of the petitioner that no narcotics was recovered from his possession. Co-accused have been enlarged on bail. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the prayer for bail.
3. We have considered the materials on record. No narcotics was recovered from the possession of the petitioner. Co-accused similarly circumstanced with him have been enlarged on bail. In view of the aforesaid fact, we are of the opinion further detention of the accused/petitioner is not necessary.
4. Therefore, the accused/petitioner, namely ***Laijur Molla***, 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-cum-Additional District Judge, 3rd Court, Balurghat, Dakshin Dinajpur 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.)