

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

04.09.2023
Court No.01
rpan / 07

**CRM (NDPS) 688 of 2023
In Re: Md. Hakimuddin**

- Petitioner

Mr. Kumar Shantanu,
Mr. Abhishek Sarkar
... for the Petitioner.
Mr. Kallol Acharjee,
Ms. Sukanya Adhikary
... for the State.

The present application under Section 439 of the Code of Criminal Procedure has been preferred in connection with Matigara Police Station Case No.259 of 2023 dated 06.04.2023 under Section 21(c)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

Heard the learned advocates appearing for the respective parties and considered the materials in the case diary.

It has been submitted that the co-accused persons, who were arrested along with the petitioner, had already been granted bail. The petitioner has already suffered detention for about 130 days.

It appears that intermediate quantity of contraband substance was recovered from the petitioner and that as such the statutory restrictions are not attracted.

In the said conspectus, we are of the opinion that further detention of the petitioner is not necessary.

Accordingly, we allow this application and direct that the petitioner, namely, **Md. Hakimuddin** 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 concerned learned Judge, Special Court (NDPS Act), 2nd Court, Siliguri with further conditions that he shall meet with the Officer-in-Charge, Matigara Police Station once a week till the investigation is complete and shall attend the trial court on all the dates as fixed for hearing.

It is further directed that the petitioner shall not intimidate the witnesses or tamper with the evidence in any manner whatsoever.

It is made clear that in the event the petitioner fails to comply with the aforesaid directions without any justifiable cause, the learned trial court would be at liberty to cancel his bail without any further reference to this Court.

The application for bail being CRM (NDPS) 688 of 2023 is, accordingly, disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Lapita Banerji, J.)

(Tapabrata Chakraborty, J.)