

01.02.2024

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Allowed

C.R.M.(NDPS) No. 164 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Raghunathganj Police Station Case No. 433 of 2022 dated 30.05.2022 under Sections 21(c)/29 of the NDPS Act.

And

In Re : Monoj Mondal @ Manoj petitioner

Mr. Anisur Rahman

... for the petitioner

Mr. Koushik Kundu

... for the State

1. Learned Counsel for the petitioner submits co-accused has been enlarged on bail by this Court. Petitioner stands on the same footing with the said co-accused. He prays for bail.

2. Learned Counsel for the State opposes the prayer for bail and submits report. Let the report be kept with record.

3. It appears from the report that petitioner does not have criminal antecedents. Accordingly, we are inclined to grant bail to the petitioner.

4. 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-cum-Additional District Judge, 5th Court, Murshidabad at Berhampore, subject to conditions that he 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 he 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.

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

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)