

30.01.2024
Sl. No.4
akd
[ALLOWED]

C. R. M. (NDPS) 175 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 19.01.2024 in connection with Raninagar Police Station Case No.460 of 2022 dated 19.10.2022 under Sections 21(c)/29 of the NDPS Act. (NDPS Case No.216 of 2022)

And

In Re: **Mannan Sk. @ Manan Sk. @ Sekh & Ors.**

... .. Petitioners

Mr. Tapodip Gupta

... .. for the petitioners

Mr. Madhusudan Sur .. Id. Addl. Public Prosecutor

Ms. Kum Kum Mitra

... .. for the State

1. It is submitted on behalf of the petitioners that they are in custody for about one year and three months. Co-accused viz. Lalmon Sk. @ Lalman Sekh has been enlarged on bail by the Hon'ble Apex Court. Accordingly, they pray for bail.
2. Learned Additional Public Prosecutor produces the case diary.
3. We have considered the materials on record. Petitioners are in custody for about one year and three months. Under such circumstances, co-accused viz. Lalmon Sk. @ Lalman Sekh has been enlarged on bail by the Hon'ble Apex Court. In view of the aforesaid fact and the period of detention suffered by the petitioners, we are of the opinion further detention of the petitioners is not necessary.
4. Therefore, the petitioners, namely **(1) Mannan Sk. @ Manan Sk. @ Sekh, (2) Enarul Sk. @ Sekh, (3) Abdulla Sk. @ Abdul Sk. & (4) Irakul Islam @ Md. Irakul Islam**, be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten thousand only) each, 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, 2nd Court, Raninagar, Murshidabad subject to condition that the said petitioners 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 they fail to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel their bail automatically without reference to this court.
6. The application for bail, thus, stands allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)