

06.02.2024
Sl. No.8
akd
[ALLOWED]

C. R. M. (NDPS) 228 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 15.01.2024 in connection with Hili Police Station Case No.267 of 2022 dated 21.11.2022 under Sections 21(c)/22(c)/23(c)/27A of the NDPS Act.

And

In Re: **Noor Nobi Mondal @ Nurnabi Mandal @ Nurnobir Mondal**
... .. Petitioner

Mr. Kaushik Choudhury
Ms. Busra Khatoon

... .. for the petitioner

Mr. Ranadeb Sengupta

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for about 156 days. It is further submitted no narcotics was recovered from his possession. Co-accused have been enlarged on bail. Investigation is complete. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the prayer for bail.
3. We have considered the materials on record. We find no narcotic substance was recovered from the possession of the petitioner. Co-accused have been enlarged on bail. Petitioner stands on the same footing with the said co-accused. Investigation is complete. Under such circumstances and in view of the period of detention suffered by the petitioner, we are of the opinion further detention of the accused/petitioner is not necessary.
4. Therefore, the accused/petitioner, namely **Noor Nobi Mondal @ Nurnabi Mandal @ Nurnobir Mondal**, 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.)