

29.02.2024.
12.
Ct.No.28.
as
(Allowed)

C.R.M. (NDPS) 367 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.143 of 2022 arising out of Berhampore P.S. Case No.741 of 2022 dated 05.06.2022 under Sections 22(C)/29 of the NDPS Act.

In the matter of : **Rinku Sk.**

.... Petitioner.

Mr. Arnab Chatterjee,
Ms. Dhanasree Biswas,
Ms. Poulami Bose.

...for the Petitioner.

Mr. Navanil De.

...for the State.

1. Petitioner is in custody for one year and nine months. He contends no narcotics was recovered from his possession. He stands on the same footing with co-accused viz., Minarul Khan who is on bail. Accordingly, he prays for bail.

2. Learned Advocate for the State opposes the bail prayer.

3. We have considered the materials on record. Petitioner stands on the same footing with co-accused viz., Minarul Khan who has been enlarged on bail by the Hon'ble Apex Court.

4. Hence, we are inclined to extend the similar relief to the petitioner.

4. Accordingly, the petitioner viz., **Rinku Sk** 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 the N.D.P.S. Act, Berhampore, Murshidabad subject to condition 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 or commit similar offences in future.

5. In the event petitioner 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. This application for bail is, thus, disposed of.

(Gaurang Kanth,J.)

(Joymalya Bagchi, J.)