

01.03.2024.
27.
Ct.No.28.
as
(Allowed)

C.R.M. (NDPS) 404 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.21 of 2023 arising out of Hili P.S. Case No.45 of 2023 dated 26.02.2023 under Sections 21(c)/22(c)/23(c)/27A of the NDPS Act.

In the matter of : **Akherul Fakir.**

.... Petitioner.

Mr. Kaushik Choudhury,
Mr. Sabyasachi Hazra,
Ms. Busra Khatun.

...for the Petitioner.

Mr. Mainak Gupta.

...for the State.

1. Heard the learned Advocates for the parties.
2. We have considered the materials on record. Petitioner is in custody for 140 days. No narcotics was recovered from his possession. Co-accused similarly circumstanced with petitioner have been enlarged on bail.
3. Under such circumstances, we are inclined to extend similar relief to the petitioner.
4. Accordingly, the petitioner viz., **Akherul Fakir** 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, Balurghat, Dakshin Dinajpur 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.)