

08.03.2024
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allowed

CRM(NDPS) No. 454 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Raninagar Police Station Case No. 164 of 2022 dated 25.04.2022 under Sections 21(c)/29 of the NDPS Act.

And
In Re : Tarik Aziz @ Tarif Aziz petitioner

Mr. Jisan Hossain
Ms. Chandrima Debnath
.....for the petitioner

Mr. Mainak Gupta
.... for the State

1. Learned Counsel for the petitioner submits he is in custody for about two years. It is also submitted there is no possibility of trial concluding in the near future. Co-accused has been enlarged on bail by the Hon'ble Apex Court. He prays for bail.

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

3. We have considered the materials on record. Petitioner is in custody for about two years. Co-accused has been enlarged on bail by the Hon'ble Apex Court. There is no possibility of trial concluding in the near future. Under such circumstances, 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, Berhampore, Murshidabad, subject to conditions that petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

5. In the event the petitioner fails to appear before the trial court without 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.)