

03.04.2024.
12.
Ct.No.28.
as
(Allowed)

C.R.M. (NDPS) 581 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Special Case No.74 of 2022 arising out of Baishnabnagar P.S. Case No.413 of 2022 dated 18.05.2022 under Sections 27(a) of the Drugs and Cosmetic Act and Section 21(c) of the NDPS Act.

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

.... Petitioner.

Mr. Tapodip Gupta,
Mr. S. Das Mahapatra.

...for the Petitioner.

Mr. Saryati Dutta,
Ms. Chandreyi Dutta.

...for the State.

1. Petitioner is in custody for one year and ten months. Co-accused has been granted bail on the ground of delay. He renews his bail prayer.
2. Learned Advocate for the State opposes the bail prayer.
3. We have considered the materials on record. 375 bottles of phensedyl syrup were recovered from a jeep. Pursuant to the statement of the inmates of the jeep, another 25 bottles of phensedyl syrup were recovered from the petitioner and one Mohibur Sk. @ Kalu @ Kalu Sk. Mohibur Sk. @ Kalu @ Kalu Sk has been enlarged on bail on the ground of delay in trial. Petitioner stands on the same footing and is entitled to similar relief.
4. Accordingly, the petitioner viz **Manjarul 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, Malda 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.

6. 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.

7. This application for bail is, thus, disposed of.

(Gaurang Kanth,J.)

(Joymalya Bagchi, J.)