

12.04.2024
Sl. No.21
akd
[ALLOWED]

C. R. M. (NDPS) 647 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 01.04.2024 in connection with Kaliachak Police Station Case No.1335 of 2022 dated 19.11.2022 under Sections 21(c)/29 of the NDPS Act.

And

In Re: ***Jenarul Mia @ Miya @ Janarul Mia***

... .. Petitioner

Mr. Arup Kumar Bhowmick

... .. for the petitioner

Mr. Sujoy Sarkar

... .. for the State

1. It is submitted on behalf of the petitioner that no narcotics was recovered from his possession. Co-accused viz. Sahjahan @ Sajahan Ali has been enlarged on bail. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the prayer for bail.
3. We have considered the materials on record. Co-accused viz. Sahjahan @ Sajahan Ali has been enlarged on bail. Petitioner stands on the same footing with the said co-accused. Hence, we are inclined to extend the same privilege to the petitioner also.
4. Therefore, the accused/petitioner, namely ***Jenarul Mia @ Miya @ Janarul Mia***, 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, 4th Court, Malda 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.)