

29.04.2024
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allowed

CRM(NDPS) No. 727 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kaliachak Police Station Case No. 1508 of 2023 dated 23.11.2023 under Sections 21(c)/27A/29 of the NDPS Act.

And

In Re : Hasib Sk. @ Hasid Sk. petitioner

Md. Wasim Akram

....for the petitioner

Ms. Faria Hossain

Mr. Raju Mondal

.... for the State

1. Heard the learned Counsels for the parties.
2. We have considered the materials on record. No narcotics was recovered from the petitioner. Co-accused has been granted bail. Under such circumstances we are inclined to extend the same privilege to the petitioner.
3. 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-cum-Additional District Judge, 3rd Court, Malda, 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 or commit similar offences in future.

4. 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.

5. The application for bail is, accordingly, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)