

03.05.2024.
10.
Ct.No.28.
as
(Allowed)

C.R.M. (NDPS) 765 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.162 of 2022 arising out of Raghunathganj P.S. Case No.549 of 2022 dated 01.07.2022 under Sections 21(c)/29 of the NDPS Act and Sections 182/465/468/471/475/120B of the Indian Penal Code.

In the matter of : **Ashoke Nunia.**

.... Petitioner.

Mr. Anisur Rahaman.

...for the Petitioner.

Mr. Arani Bhattacharyya.

...for the State.

1. Heard the learned Advocates for the parties.
2. We have considered the materials on record. Co-accused viz., Abdul Aziz has been enlarged on bail. Petitioner stands on the same footing with the co-accused.
3. Under such circumstances, we are inclined to extend the same privilege to the petitioner also.
5. Accordingly, the petitioner viz., **Ashoke Nunia** 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-cum-Additional District & Sessions Judge, 5th Court, at Berhampore, Murshidabad 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 and on further condition that the

petitioner, while on bail, shall not leave the district of Murshidabad except for the purpose of attending court proceedings in other cases and shall provide the address where he shall presently reside to the Investigating Agency as well as the jurisdictional court and shall report to the officer-in-charge, Raghunathganj Police Station once in a week until further orders.

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.)