

10.05.2024
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allowed

CRM(NDPS) No. 798 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Sagarpara Police Station Case No. 310 of 2022 dated 23.11.2022 under Sections 21(c)/29 of the NDPS Act.

And
In Re : Lalan Molla petitioner

Mr. Debanshu Ghorai
Mr. Anisur Rahman
....for the petitioner

Mr. Rudradipta Nandy, learned APP
Mr. Sachit Talukdar
.... for the State

1. Heard the learned Counsels for the parties.

2. We have considered the materials on record.

Petitioner is in custody for about one and half years. Co-accused has been enlarged on bail by the Hon'ble Apex Court. Under such circumstances, we are inclined to extend similar relief to the petitioner also.

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-learned Additional District Judge, 5th court, Murshidabad at Berhampore, subject to condition that 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.

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.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)