

09
10-06-2024
(ct. no.28)
KOLE
Allowed

CRM (NDPS) 812 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Kandi Police Station** Case No. **39 of 2022** dated **14.01.2022** under Sections **20(c)/29** of the NDPS Act.
- A n d -

In the matter of : Ajkarul Sk.

.... Petitioner.

Mr. Jisan Iqbal Hossain,

... For the Petitioner.

Mr. Arijit Ganguly,
Mr. Ratul Ghosh,

... For the State.

The petitioner is one of the two accused persons. Admittedly, commercial quantity of contraband item was recovered from the accused persons. The accused persons have been in custody for two years and five months.

The co-accused, namely, Sawdagar Sk. had approached the Hon'ble Apex Court. By an order dated April 8, 2024, the Hon'ble Apex Court granted bail to Sawdagar Sk. on the conditions that he shall participate on all the required dates before the trial Court and will not seek any unnecessary adjournments. It was directed that other bail conditions be imposed by the learned Trial Court.

The petitioner says that he stands on the same footing. The State does not dispute that the petitioner is similarly circumstanced as Sawdagar Sk. There are 11 witnesses to be examined. None of the witnesses has yet been examined. There is no likelihood of conclusion of the trial at an early date.

Signed By :
ABHIJIT KOLE
High Court of
Calcutta
10 th of June
2024 06:11:36
PM

Accordingly, we are inclined to grant bail to the petitioner but on conditions.

Accordingly, we direct that the petitioner, namely, **Ajkarul Sk.**, shall be released on bail upon furnishing a bond of Rs. 25,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the Learned Judge, Special Court, NDPS, Berhampore, Murshidabad and on further conditions that he shall not leave the jurisdiction of the concerned police station and shall report to the Officer-in-Charge of the concerned police station once in a fortnight until further orders. The 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.

In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this court.

The application for bail is, accordingly, allowed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(**Apurba Sinha Ray, J.**)

(**Arijit Banerjee, J.**)