

30.05.2024
Court No.8
Item. 42
(**Suvendu**
/Sandip)

CRM(NDPS) 899 OF 2024

In Re: An application for Bail under Section 439 of the Code of Criminal Procedure, 1973 filed in connection with N 03/2022 arising out of Bidhannagar South Police Station Case No. 03 of 2022 dated 05.01.2022 under Sections 21(C)/ 29 of the NDPS Act, 1985.

And

In the matter of: Rahim

.Petitioner.

Mr. Angshuman Chakraborty
Mr. Shashanka Shekhar Saha

For the Petitioner.

Mr. Arijit Ganguly
Mr. Debangshu Ghorai

For the State.

1. Learned counsel appearing for the petitioner submits that the petitioner is similarly situated with one of the co-accused persons, who has been granted bail by a Coordinate Division Bench by order dated 22.04.2024 passed in CRM (NDPS) 593 of 2024. The ground on which the Coordinate Division Bench granted bail was the period of detention which was two years and four months.
2. Having considered that the petitioner was also arrested on 05.01.2022 on the self-same date along with other co-accused persons, we are inclined to release the petitioner on bail on the same terms and conditions in spite of the State having opposed the same.

3. Accordingly, 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 the NDPS Act, Barasat, Noth 24 Parganas 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.

4. 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.

5. CRM(NDPS) 899 of 2024 is accordingly allowed and disposed of in terms of the above.

(BISWAROOP CHOWDHURY, J.)

(TIRTHANKAR GHOSH, J.)