

19.06.2024
Item no.16.
Court No.28.
S. De
(Allowed)

CRM (NDPS) No. 920 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 10.06.2024 in connection with Amdanga Police Station Case No. 389 of 2021 dated 20.07.2021 under Sections 21(C) of the Narcotic Drugs and Psychotropic Substances Act.

And

In the matter of : Taher Mondal.

.....Petitioner.

Mr. Susnigdho Bhattacharyya,
Mr. Uttw3al Shil,
Ms. Santa Bhattacharyya,
.....for the Petitioner.

Mr. Bibaswan Bhattacharyya,
Mr. Rahul Gangully,for the State.

The petitioner says that there was no recovery from him. He was not even named in the seizure list. The persons who were named in the seizure list have all ben acquitted by the learned Trial Court. He is in custody for 58 days. He should be enlarged on bail.

Learned advocate for the State says that the petitioner was absconding for a long time. This is a case of 2021. The petitioner could be apprehended only this year in April. A supplementary charge-sheet has been filed against him.

We have considered the facts and circumstances of the case. The seizure list named accused persons have all been

acquitted. We are not stopping the State from proceeding against the petitioner. However, we are of the view that it is no more necessary to detain the petitioner in custody.

Accordingly, we direct that the petitioner, namely, **Taher Mondal** 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 Special Judge under the N.D.P.S. Act at Barasat, North 24-Parganas and on further conditions that he shall remain within the jurisdiction of the concerned police station and he 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 and/or commit any cognizable offence 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.

CRM (NDPS) No. 920 of 2024 is disposed of.

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

(Gaurang Kanth, J.)

(Arijit Banerjee, J.)