

25.06.2024
Item no.06.
Court No.28.
S. De
(Allowed)

CRM (NDPS) No. 922 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 11.06.2024 in connection with Matia Police Station Case No. 57 of 2022 dated 19.02.2022 under Sections 21(c) of the Narcotic Drugs and Psychotropic Substances Act.

And

In the matter of : Jiarul @ Jiaul Haque Gazi.

.....Petitioner.

Mr. Moyukh Mukherjee,
Ms. Sarmistha Basak,
.....for the Petitioner.

Mr. Sujoy Sarkar,for the State.

Commercial quantity of Codeine Mixture was recovered from the joint possession of this petitioner and a co-accused person. That person has been granted bail by this Court by an order dated April 26, 2024 passed by a Co-ordinate Bench in CRM (NDPS) 721 of 2024.

Accordingly, on the ground of parity as also keeping in view that the petitioner is in custody for 2 years and 4 months and there is no appreciable progress in the trial, we are inclined to enlarge the petitioner on bail.

Accordingly, we direct that the petitioner, namely, **Jiarul @ Jiaul Haque Gazi** 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.

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. 922 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.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)