

C. R. M. (NDPS) 939 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 22.05.2024 in connection with Entally Police Station Case No.290 of 2020 dated 04.11.2020 under Sections 21(c)/29 of the NDPS Act.

And

In Re: ***Ashiya Bibi @ Appa & Anr.***

... .. Petitioners

Mr. Angshuman Chakraborty
Mr. Shashanka Shekhar Saha

... .. for the petitioners

Mr. Arindam Sen
Mr. Tirthankar Dhali

... .. for the State

The petitioners claim parity. They say that two other accused persons have been enlarged on bail by orders dated April 2, 2024 and May, 3, 2024 passed by a coordinate Bench of this court. We have seen those orders.

Learned Advocate for the State fairly submits that the petitioners are similarly circumstanced as the other two persons who have been granted bail.

Hence, we are inclined to allow the petitioners' prayer.

Accordingly, we direct that the petitioners, namely ***(1) Ashiya Bibi @ Appa & (2) Liton Das @ Litan Das***, shall be released on bail upon furnishing a bond of Rs.25,000/- each, 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-cum-Additional District & Sessions Judge, 12th Court, Alipore, South 24-Parganas subject to condition that the present petitioners shall appear before the learned trial court on each date of substantive hearing subject to the provisions of Section 317 of the Code of Criminal Procedure, 1973. The

petitioners shall remain within the jurisdiction of the trial court till conclusion of trial unless such conditions have been relaxed by the learned trial court.

The petitioners 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 petitioners fail to adhere to any of the conditions stipulated above without any justifiable cause, the learned trial court shall be at liberty to cancel the petitioners' bail in accordance with law without further reference to this Court.

The application for bail being CRM (NDPS) 939 of 2024 is accordingly disposed of.

Criminal Section is directed to supply urgent Photostat certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Arijit Banerjee, J.)

(Gaurang Kanth, J.)