

19.06.2024
Item no. 47.
Court No.28.
AB
(Allowed)

CRM (NDPS) 951 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with Baishnabnagar Police Station Case No.264 of 2024 Dated 1.4.2024 under Sections 21B/29 of the NDPS Act

And

In the matter of : Kuddus Mia

.....Petitioner.

Mr. Avinaba Patrafor the Petitioner.

Mr. Sujoy Sarkarfor the State.

Intermediate quantity of contraband item was allegedly recovered from the petitioner. He says that charge sheet has been filed. He is in custody for 80 days. His further detention is not necessary.

Learned Advocate for the State says that there are enough incriminating materials against the petitioner. The FSL report is awaited. Supplementary charge sheet may be filed upon receipt of such report.

We are of the view that since charge sheet has been filed upon completion of investigation and intermediate quantity of contraband item is involved, there is no bar in granting bail to the petitioner.

Accordingly, we direct that the petitioner, namely **Kuddus Mia** 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 under the NDPS Act at Malda, 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 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.

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

(Arijit Banerjee, J.)

(Gaurang Kanth, J.)

