

19.06.2024
Item no. 52.
Court No.28.
AB
(Allowed)

CRM (NDPS) 956 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with Kaliachak Police Station Case No.220 of 2024 Dated 24.2.2024 under Sections 21C/25 27A/29 of the NDPS Act

And

In the matter of : Mofakkar

.....Petitioner.

Mr. Sagar Saha,
Mr. N. Sk.for the Petitioner.

Mr. Shekhar Barmanfor the State.

The petitioner claims parity. He says that two co-accused persons were enlarged on bail by an order dated June 11, 2024 passed by a Coordinate Bench in CRM (NDPS) 814 of 2024. He says that he stands on the same footing as those persons.

Learned Advocate for the State, in his usual fairness, admits that the petitioner is similarly circumstanced as the other two accused persons, who have been enlarged on bail on June 11, 2024. Hence, we allow this application.

Accordingly, we direct that the petitioner, namely **Mofakkar** 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, ADJ, 4th Court, 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.)