

25.06.2024
Item no.40.
Court No.28.
S. De
(Allowed)

CRM (NDPS) No. 969 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 13.06.2024 in connection with Kaliachak Police Station Case No. 1508 of 2023 dated 23.11.2023 under Sections 21(c)/27(A)/29 of the Narcotic Drugs and Psychotropic Substances Act.

And

In the matter of : Md. Hasnur Ali @ Sk.

.....Petitioner.

Md. Wasim Akram,

.....for the Petitioner.

Mr. Saryati Datta,

Mr. Soham Dey Dhara,for the State.

No contraband item was recovered from the petitioner.

He claims parity, by referring to two orders dated April 24, 2024 passed in CRM (NDPS) 708 of 2024 and dated April 29, 2024 passed in CRM (NDPS) 727 of 2024, whereby two co-accused persons have been enlarged on bail. 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 two co-accused persons who have been enlarged on bail by this Court. Hence, we are inclined to allow this application for bail.

Accordingly, we direct that the petitioner, namely, **Md. Hasnur Ali @ Sk.** 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, 3rd Court, Malda under the N.D.P.S. Act 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. 969 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.)