

46.
25-06-2024
(ct. no.28)
debajyoti
(allowed)

CRM (NDPS) 975 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Ranitala Police Station Case No.423 of 2021 dated 11-11-2021 under Sections 21(c)/29 of the Narcotic Drugs and Psychotropic Substances Act.

- A n d -

In the matter of : Mijarul Sk @ Mithu

.... Petitioner.

Mr. Tapodip Gupta,
Mr. Suman Bhanja

... For the Petitioner.

Mr. Bitashok Banerjee,
Ms. Snigdha Saha

... For the State.

The petitioner prays for bail on the ground of parity. He says that commercial quantity of contraband item was allegedly seized from the joint possession of the petitioner and a co-accused person. That other person has been enlarged on bail by a coordinate Bench on the ground of delay in trial, by an order dated May 06, 2024 passed in CRM (NDPS) 768 of 2024. He says that he stands on the same footing.

Learned advocate for the State in her usual fairness admits that the petitioner is similarly circumstanced as the co-accused person who has been enlarged on bail.

Therefore, we are inclined to allow this application for bail.

Accordingly, we direct that the petitioner, namely, **Mijarul Sk @ Mithu**, shall be released on bail upon furnishing a bond of Rs.25,000/- (Rupees Twenty Five Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of learned Judge, Special Court under NDPS

Act, Berhampore, Murshidabad. 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 in any manner whatsoever. The petitioner shall remain within the jurisdiction of the local police station and shall report to the Officer-in-Charge of the said police station once every fortnight, until further orders.

In the event the petitioner fails to comply with any of the conditions stipulated above, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail being CRM (NDPS) 975 of 2024 is, thus, **allowed**.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

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

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)