

49.
25-06-2024
(ct. no.28)
debajyoti
(allowed)

CRM (NDPS) 978 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kulti Police Station Case No.423 of 2021 dated 23-08-2021 under Sections 20(b)(ii)(C)/29 of the Narcotic Drugs and Psychotropic Substances Act.

- A n d -

In the matter of : Md Asif Ansari @ Chotu

.... Petitioner.

Mr. Ayan Basu,
Mr. Sk. Salim,
Mr. Sumit Routh

... For the Petitioner.

Mr. Kaushik Kundu,
Ms. Snigdha Saha

... For the State.

Although the petitioner's prayer for bail was refused earlier on more than occasion, he renews such prayer on the ground of parity. He refers to an order dated June 12, 2024 passed by this Bench in CRM (NDPS) 844 of 2024, whereby a co-accused person was enlarged on bail on the ground of delay in trial. The petitioner says that he stands on the same footing. He is in custody for two years and ten months.

Learned advocate for the State fairly admits that the petitioner is similarly circumstanced as the other accused person, who was granted bail on June 12, 2024. Hence, we are inclined to allow the prayer of this petitioner for bail.

Accordingly, we direct that the petitioner, namely, **Md Asif Ansari @ Chotu**, 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-cum-Additional Sessions Judge, 3rd

Court, Asansol. 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) 978 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.)