

03.07.2024
Item no. 48.
Court No.28.
AB
(Allowed)

CRM (NDPS) 1051 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 23.8.2021 under Sections 20(b)(ii)(C)/29 of the NDPS Act

And

In the matter of : Md. Tousehik Ansari @ Rahul

.....Petitioner.

Mr. Biswajit Tiwarifor the Petitioner.

Mr. Debabrata Chatterjee,
Mr. Karan Bapulifor the State.

The petitioner claims parity. He draws our attention to two orders dated June 12, 2024, and June 25, 2024, passed in CRM (NDPS) 844 of 2024 and CRM (NDPS) 978 of 2024 respectively, whereby two co-accused persons were enlarged on bail by this Bench.

Learned Advocate for the State, while formally opposing the prayer for bail, in his usual fairness, admits that those two accused persons, who have been enlarged on bail, are similarly circumstanced as the present petitioner.

Hence, on the ground of parity, we allow this application.

Accordingly, we direct that the petitioner, namely **Md. Tousehik Ansari @ Rahul** 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 Asansol, 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.)

(Apurba Sinha Ray, J.)

