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11-07-2024
(ct. no.28)
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Allowed

CRM (NDPS) 1082 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Domkal Police Station** Case No. **151 of 2022** dated **18.03.2022** under Sections **22(c)/25/28/29** of the NDPS Act and Sections 25(1B)(a) of the Arms Act.

- A n d -

In the matter of : Abdul Mondal @ Md. Abdul Mandal & Anr.

.... Petitioners.

Mr. Tapodip Gupta,

... For the Petitioners.

Mr. Imran Ali,

Mr. Karan Bapuli,

... For the State.

We find that only two out of nineteen witnesses have been examined. The petitioners are in custody for about two years, three months and 24 days.

Today, the learned Advocate for the petitioners produces copy of an order dated July 3, 2024, whereby a co-accused, from whose house the commercial quantity of contraband item was recovered, has been enlarged on bail by this Bench.

We find that these petitioners stand on the same footing as the other person who was granted bail in CRM (NDPS) 1004 of 2024.

Therefore, on the ground of parity we grant bail to the petitioners.

Accordingly, we direct that the petitioners, namely, **Abdul Mondal @ Md. Abdul Mandal** and **Sumon Sardar @ Sumon Sarder @ Suman Sardar** shall be released on bail upon furnishing a bond of Rs. 25,000/- each, 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, Berhampore, Murshidabad and on further conditions that they 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 petitioners 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.

In the event the petitioners fail to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioners' 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.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)