

19.
24-07-2024
(ct. no.28)
debajyoti
(allowed)

CRM (NDPS) 1134 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure/read with Section 483 of the BNSS Act in connection with Kanksa Police Station Case No.23 of 2023 dated 18-01-2023 under Sections 25A/29 of the Narcotic Drugs and Psychotropic Substances Act.

- A n d -

In the matter of : Siraj Hassan @ Hasan @ Shiraj Hasan @ Hassan
.... Petitioner.

Mr. Avik Ghatak,
Mr. Saibal K. Dasgupta

... For the Petitioner.

Mr. Bibaswan Bhattacharya,
Mr. Karan Bapuli

... For the State.

Dictated by Partha Sarathi Sen, J.

In support of the application for bail, learned advocate for the petitioner at the very outset submits before this Court that the present accused petitioner stands on the same footing with a co-accused, namely, Md. Adil, who was enlarged on bail by a coordinate Bench of this Court on July 03, 2024 in CRM (NDPS) No.1024 of 2024.

Learned advocate for the State, though opposes the prayer for bail, however, on being asked, submits that the present accused petitioner's footing is similar to the co-accused, who has been enlarged on bail, as stated above.

In view of the same and keeping in mind the ground of parity, we are inclined to allow the prayer of the petitioner for bail.

Accordingly, we direct that the petitioner, namely, **Siraj Hassan @ Hasan @ Shiraj Hasan @ Hassan**, 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, Paschim Bardhaman. The petitioner shall appear before the trial Court on every date of substantive hearing subject to the provisions of Section 317 of the Code of Criminal Procedure and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever. The petitioner shall not leave the district of Paschim Burdwan except for the purpose of attending the court proceedings and shall remain within the jurisdiction of the local police station, 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) 1134 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.

(Partha Sarathi Sen, J.)

(Arijit Banerjee, J.)