

33
19-08-2024
(ct. no.28)
S. De
Allowed

CRM (NDPS) 1177 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Barjora Police Station** Case No. **107** of **2021** dated **06.08.2021** under Sections **21(c)/29** of the Narcotic Drugs & Psychotropic Drugs (NDPS) Act.

- A n d -

In the matter of : Sk. Sabir @ Kharu.

.... Petitioner.

Mr. Subhendu Roy,
Ms. Shila Chatterjee,

... For the Petitioner.

Mr. Sujan Chatterjee

... For the State.

Order dictated by Arijit Banerjee, J.

1. The petitioner is in custody for 3 years 13 days. He prays for bail on the ground of parity citing the order dated June 28, 2024, passed by this Bench in CRM (NDPS) No. 911 of 2024, enlarging another accused person on bail.
2. Learned advocate for the State, while opposing the prayer for bail, does not dispute, in his usual fairness, that this petitioner and the accused person who was granted bail by the order dated June 28, 2024, are similarly circumstanced.
3. Hence, on the ground of parity, we allow this application for bail.
4. Accordingly, we direct that the petitioner, namely, **Sk. Sabir @ Kharu** 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, Bankura 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.

5. 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.
6. 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.
7. The application for bail is, accordingly, allowed.
8. 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.)