

40. 06.08.2024
Court
No.6 (Tanmoy)

Allowed

CRM (NDPS) 1186 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973/ Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with **Farakka** Police Station Case No. **481/2023**, dated **28.12.2023** under Sections **21(C)/29** of the NDPS Act, 1985.

And

In the matter of: - **Faridul Islam @ Farid @ Faridul Islam**

...petitioner.

Mr. Soumyajit Das Mahapatra
Mr. Somnath Adhikary

...for the petitioner.

Mr. Manoranjan Mahata

...for the State.

1. Report is placed on record. Report shows consignment note relied by the petitioner for transportation of medicine matches with the seized articles.
2. Under such circumstances, we are of the opinion petitioner has been able to rebut the statutory restrictions in Section 37 of the NDPS Act and may be released on bail.
3. Accordingly, we direct the petitioner, namely, **Faridul Islam @ Farid @ Faridul Islam** shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Judge, Special Court under NDPS Act, Murshidabad at Berhampore subject to condition that the petitioner shall appear before the trial court on each and every date of hearing until further orders and shall not

intimidate witnesses and/or tamper with evidence in any manner whatsoever.

4. In the event petitioner fails to appear before the Trial Court without any justifiable cause, the Trial Court shall be at liberty to cancel the his bail without any further reference to this Court.
5. The application for bail is, thus, allowed and disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)