

12. 07.08.2024
Court
No.6 (Tanmoy)

Allowed

CRM (NDPS) 1219 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 **Habibpur** Police Station Case No. **86/2021**, dated **21.3.2021** under Sections **20(b)(ii)(a)/21(b)/29** of the NDPS Act, 1985 read with Sections **14(A)(b)/14(c)** of the Foreigners Act.

And

In the matter of: - **Md. Saleem @ Md. Salim**

...petitioner.

Mr. Md. Wasim Akram

...for the petitioner.

Ms. Baisali Basu

Mr. Md. Yaser Anwar Ismail

...for the State.

1. Heard learned counsel for the parties.
2. Petitioner is in custody for over three years. Two witnesses have been examined. There is no possibility of trial concluding in the near future.
3. Under such circumstances, we are inclined to enlarge the petitioner on bail.
4. Accordingly, we direct the petitioner, namely, **Md. Saleem @ Md. Salim** 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 4th Court under NDPS Act, Malda 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.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)