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

CRM (NDPS) 1272 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Tapan Police Station Case No. 332** of **2023** dated **03.06.2023** under Sections **20(c/22(c)/23(c)/27A** of the Narcotic Drugs & Psychotropic Drugs (NDPS) Act.

- A n d -

In the matter of : Saidul Mondal @ Islam.

.... Petitioner.

Mr. Bursa Khatun,

... For the Petitioner.

Mr. Avishek Sinha,

Mr. Bikram Mitra,

... For the State.

Order dictated by Arijit Banerjee, J.

1. The petitioner says that there was no recovery of contraband item from him. He has been implicated on the basis of statements made by co-accused persons. A co-accused person being Dulal Barman was granted anticipatory bail on February 23, 2024. He stands on the same footing as that person.
2. Learned advocate for the State while opposing the prayer for bail, does not dispute, in his usual fairness, that this petitioner and Dulal Barman are similarly circumstanced.
3. Therefore, on the ground of parity, we allow the petitioner's prayer for bail.
4. Accordingly, we direct that the petitioner, namely, **Saidul Mondal @ Islam** 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), Balurghat, Dakshin Dinajpur 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.)