

58.
23-08-2024
(ct. no.28)
debajyoti
(allowed)

CRM (NDPS) 1310 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973/under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Uluberia Police Station Case No.225 of 2020 dated 10-09-2020 under Section 20(b)(ii)(c) of the Narcotic Drugs and Psychotropic Substances Act.

- A n d -

In the matter of : Muktar Malik

.... Petitioner.

Mr. Swapan Kumar Mallick,
Mr. Abhinaba Mukherjee

... For the Petitioner.

Mr. Antarikhya Basu,
Ms. Nahid Ahmed

... For the State.

Dictated by Arijit Banerjee, J.

The petitioner prays for bail on the ground of parity. He cites an order dated July 23, 2024 passed by a coordinate Bench in CRM (NDPS) 1040 of 2024 whereby a co-accused person, namely, Atihar Mallik, was granted bail. The petitioner says that he stands on the same footing.

Learned advocate for the State, while opposing the prayer for bail, in his usual fairness, does not dispute that the petitioner stands on the same footing as Atihar Mallik who has been enlarged on bail.

Hence on the ground of parity, we allow this application for bail.

Accordingly, we direct that the petitioner, namely, **Muktar Malik**, 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, Howrah. The petitioner shall appear before the trial Court on every date of hearing and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever. The petitioner shall remain within the jurisdiction of the local Police Station and shall report to the Inspector-in-Charge/Officer-in-Charge of the said police station once in a week, 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) 1310 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.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)