

23.08.2024
Item no. 65.
Court No.28.
AB
(Allowed)

CRM (NDPS) 1317 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 Malda (T) GRPS Police Station Case No.6 of 2022 Dated 14.2.2022 under Sections 22(c)/29 of the NDPS Act

And

In the matter of : Manirul Molla @ Monirul Molla

.....Petitioner.

Mr. Tapodip Gupta,
Mr. Suman Bhanja

.....for the Petitioner.

Ms. Amita Gour,
Ms. Rita Dutta

.....for the State.

Dictated by Arijit Banerjee, J.

1. The petitioner renews his prayer for bail on the ground of parity. He says that he is in detention for two years and six months. Two accused persons had approached the Hon'ble Supreme Court praying for bail on the ground of delay in progress of the trial. They were granted bail. The petitioner stands on the same footing.
2. Learned Advocate for the State, while opposing the prayer for bail, says that the petitioner has an antecedent in the sense that there was a previous NDPS case against him but that ended in acquittal of the petitioner.
3. In view of the aforesaid, purely on the ground of parity, we allow the petitioner's prayer for bail.

4. Accordingly, we direct that the petitioner, namely **Manirul Molla @ Monirul Molla** 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 at Malda, 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 and/or commit any cognizable offence 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.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)

