

26.09.2024
Item no. 30.
Court No.28.
AB
(Allowed)

CRM (NDPS) 1394 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 Hingalganj Police Station Case No.19 of 2022 Dated 6.2.2022 under Sections 20(b)/29 of the NDPS Act and Sections 14/14C of the Foreigners Act

And

In the matter of : Nasir Gazi & Anr.

.....Petitioners.

Mr. Kallol Kr. Basu,
Md. Jannat Ul Firdousfor the Petitioners.

Mr. Debasish Roy, Id PP
Mr. Koushik Kundu,
Ms. Suparna Chatterjeefor the State.

Dictated by Arijit Banerjee, J.

1. We have heard learned Public Prosecutor. The requirement of filing report is dispensed with.
2. No contraband item has been recovered from the petitioners. They have been implicated solely on the basis of statements made by co-accused persons. From the case diary, we also do not find any other material, which would justify further detention of the petitioners.
3. Accordingly, we direct that the petitioners, namely **Nasir Gazi and Khalek Tarafdar @ Abdul Khalek Tarafdar** shall be released on bail upon furnishing a bond of Rs.25,000/-each, 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 Barasat, North 24 Parganas, and on further conditions that they 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.

4. In the event the petitioners fail to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioners' bail in accordance with law without further reference to this Court.
5. The application for bail is, accordingly, allowed.
6. 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.)

