

01.10.2024
Item no. 30.
Court No.28.
AB
(Allowed)

CRM (NDPS) 1446 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 Hogolberia Police Station Case No.354 of 2022 Dated 19.11.2022 under Sections 21C/29 of the NDPS Act

And

In the matter of : Mainul Mondal & Anr.Petitioners.

Mr. Prabir Majumdar,
Mr. S. Majumdarfor the Petitioners.

Mr. Anand Keshri,
Mr. Rahul Gangulyfor the State.

Dictated by Arijit Banerjee, J.

1. The petitioners claim parity citing orders dated August 23, 2024, passed in CRM (NDPS) 1322 of 2024 and CRM (NDPS) 1304 of 2024, granting bail to two co-accused persons. The petitioners say that they stand on the same footing as those persons.
2. Learned Advocate for the State, while opposing the prayer for bail, in his usual fairness, does not dispute that these petitioners stand on the same footing as the co-accused persons, who were enlarged on bail.
3. Hence, on the ground of parity, we allow this application.
4. Accordingly, we direct that the petitioners, namely **Mainul Mondal** and **Pintu Mondal** 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 Krishnagar, Nadia, 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.

5. The petitioners 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 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.
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.)

