

CRM (NDPS) 1497 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure/Section 483 of the BNSS in connection with **Jalangi Police Station** Case No. **29 of 2024** dated **23.01.2024** under Sections **21(C)/29** of the NDPS Act.

- A n d -

In the matter of : Wazir Ansari & Anr.

.... Petitioners.

Mr. Arnab Chatterjee,
Mr. D. Biswas,
Ms. Poulami Bose,

... For the Petitioners.

Ms. Rituparna De Ghose,
Ms. Sudeshna Das,

... For the State.

Order dictated by Arijit Banerjee, J.:

1. The petitioners claim parity citing an order dated September 4, 2024, passed in CRM (NDPS) 1183 of 2024, whereby this Bench enlarged a co-accused person on bail, namely, Md. Fakhuddin, on the ground of non-compliance of Section 52A of the NDPS Act. The petitioners say that they stand on the same footing.

2. Learned State Advocate, while opposing the bail prayer, in her usual fairness does not dispute that these petitioners are similarly circumstanced as the said Md. Fakhuddin.

3. Hence, we are inclined to enlarge the petitioners on bail.

4. Accordingly, we direct that the petitioners, namely, **Wazir Ansari and Ali Imam @ Munna**, 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 Chief Judicial Magistrate, Berhampore, Murshidabad 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. 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 in any manner whatsoever.

5. 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.

6. The application for bail is, accordingly, allowed.

7. 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.)