

06.11.2024
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allowed

CRM(NDPS) No. 1659 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure read with Section 483 of BNSS in connection with Baishnabnagar Police Station Case No. 18 of 2023 dated 08.01.2023 under Sections 21(c)/25/29 of the NDPS Act.

And

In Re : Majed Sk. @ Majed Ali petitioner

Md. Wasim Akram
.....for the petitioner

Mr. Avishek Sinha
Mr. Sourat Nandy
..... for the State

1. Learned Counsel for the petitioner submits he is in custody for one year and four months. He prays for bail.

2. We have considered the materials on record. No narcotics was recovered from the petitioner. Co-accused similarly circumstanced with the petitioner has been granted bail. Under such circumstances we are inclined to extend similar privilege to the petitioner.

3. Accordingly, we direct the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Judge, Special Court under NDPS Act, 4th Court, Malda, subject to the condition that he 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.

4. In the event the petitioner fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)