

CRM (NDPS) 1768 of 2024

In Re: - An application for bail under Section 483 of the B.N.S.S. 2023 in connection with Sankrail P.S. Case No. 1527 of 2021 dated 24.12.2021 under Sections 20(b)(ii)(c)/25 /27A/28/29 of N.D.P.S. Act.

And

In the matter of: Rahamat Ali

Mr. Arindam Jana

Sk. Toslim Ali

... for the petitioner

Mr. Sanjoy Banerjee

Ms. Madhumita Basak

...for the State

1. Petitioner is in custody for about one year and nine month. He contends co-accused are on bail. He renews his bail prayer.
2. Learned lawyer appearing for the State submits report. From the report it appears date for cross-examination of Investigating Officer is fixed in February 2025.
3. We have considered the materials on record. Other co-accused are on bail. Petitioner is in custody for about one year and nine month. Vital witnesses have already been examined. Cross-examination of the Investigating Officer is fixed in February 2025.
4. Under such circumstances, we are of the opinion petitioner has made out a case for bail.
5. Accordingly, we direct the petitioner namely, **Rahamat Ali**, 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 Additional District and Sessions Judge, 3rd Court (Special Court, NDPS Act) at Howrah subject to condition that the petitioner shall appear before the trial court on each and every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.
6. In the event, petitioner fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel his bail prayer in accordance with law without further reference to this Court.
7. The application for bail is, thus, allowed and disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)