

10.01.2024

6

sdas

Allowed

C.R.M. (NDPS) No. 1821 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NCB Crime No. 21/NCB/KOL/2022 under Sections 8(c) read with Sections 21(c)/29 of the N.D.P.S. Act.

And

In Re : Aminur Mondal alias Amin ..... petitioner

Mr. Angshuman Chakraborty

Mr. S. S. Saha

.....for the petitioner

Mr. Krishnendu Bhattacharya

Mr. Tirtha Pati Acharyya

.....for the NCB

1. Learned Counsel for the petitioner submits he suffered a spine fracture in the lumber region. Though he had not been advised for surgical intervention, he requires regular medication. He is unable to walk properly. Accordingly, he renews his bail prayer.

2. In the light of the aforesaid submission report with regard to the health condition of the petitioner was sought. Report is submitted in Court.

3. We note from the report the petitioner has been advised to attend neuromedicine Department in Out Door Patient. He needs various medications and has been advised to wear L.S. belt. These facts show that the petitioner requires regular medication and other allied treatment. Under such circumstances possibility of abscondence of the petitioner is

minimal. In order to ensure proper treatment of the petitioner on humanitarian consideration we are inclined to grant bail to him.

4. Accordingly, we direct that 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-cum-learned Additional Sessions Judge, 6<sup>th</sup> Court, Barasat, North 24 Paraganas, on further condition that while on bail petitioner shall report to the Officer-in-Charge, NCB Department, once in a week until further orders. Petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

5. 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 in accordance with law without further reference to this Court.

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

**(Gaurang Kanth, J.)**

**(Joymalya Bagchi, J.)**