

12.12.2024
Ct. No. 04
SL No. 29
S.De

C.R.M. (NDPS) 1803 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure as amended /under Section 483 of the Bharatiya Nagarik Surksha Sanhita, 2023, **Dhubulia Police Station Case No.596 of 2023** dated **21.11.2023** under **Sections 21(C)/25/29** of the Narcotic Drugs and Psychotropic Substances Act.

And

In the matter of: **Samir Banik**.

Mr. Milon Mukherjee, Sr. Adv.

Mr. Atindranath Misra, ...for the Petitioner

Mr. Antarikhya Basu,

Mr. Saibal Krishna Dasgupta,for the State

1. We have heard learned counsel for the parties.
2. Petitioner is in custody for 360 days. Co-accused have been granted bail by the Hon'ble Apex Court as well as this Court. Petitioner stands on the same footing and is entitled to similar relief.
3. Accordingly, we direct the petitioner namely, **Samir Banik** 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), Nadia at Krishnagar, subject to the 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.
4. 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 without any further reference to this Court.
5. The application for bail is, thus, allowed and disposed of.

(Apurba Sinha Ray, J.)

(Joymalya Bagchi, J.)