

02.05.2024
SL No.54
Court No.1
(gc)
(allowed)

***Circuit Bench of Calcutta High Court
At Jalpaiguri***

CRM (NDPS) 177 of 2024

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Matigara Police Station Case No.381 of 2022 dated 28.03.2022 under Section 21(c) of the NDPS Act, 1985.

And

In the matter of : **Sk. Abub Kasem**

- Petitioner.

Mr. Somraj Paul

....For the Petitioner.

Mr. Abhijit Sarkar,
Mr. Aniruddha Biswas

...For the State.

1. Learned Counsel for the petitioner submits that the petitioner is similarly circumstanced with Md. Based @ Md. Based Ali who was enlarged on bail in CRM (NDPS) 96 of 2024 by an order dated 22.04.2024.
2. Learned Counsel for the State in all fairness has submitted that the present accused petitioner stands on the same footing and similarly circumstanced with Md. Based @ Md. Based Ali who was enlarged on bail by the order of this Court in CRM (NDPS) 96 of 2024 on 22.04.2024.
3. In view thereof, the application for bail is allowed on parity of reasoning.

4. In the facts and circumstances of the present case, the present accused/petitioner viz. **Sk. Abub Kasem** 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 Special Judge, N.D.P.S. Act, 2nd Court, Siliguri subject to the condition that he 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 or commit similar offences in future.
5. In the event the 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. Accordingly, the application for bail is disposed of.
7. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Partha Sarathi Sen, J.)