

24.05.2024

Sl. No.7

akd

[ALLOWED]

IN THE HIGH COURT AT CALCUTTA

Circuit Bench at Jalpaiguri

C. R. M. (NDPS) 231 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 21.05.2024 in connection with Kharibari Police Station Case No.293 of 2023 dated 16.10.2023 under Sections 21(c)/22(c) of the NDPS Act. (CR NDPS Case No. 94 of 2023)

And

In Re: ***Bimal Ghosh @ Lalu***

... .. Petitioner

Mr. Hillol Saha Podder
Ms. Mousumi Das

... .. for the petitioner

Mr. Kallol Acharjee
Mr. Aniruddha Biswas

... .. for the State

1. Heard the learned Advocates appearing for both the parties.
2. We have considered the materials on record. Co-accused has been enlarged on bail. Petitioner stands on the same footing with the said co-accused. Hence, we are inclined to extend the same privilege to the petitioner also.
3. Therefore, the accused/petitioner, namely ***Bimal Ghosh @ Lalu***, be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Judge, Special Court under the NDPS Act-cum-Additional Sessions Judge, 2nd Court, Siliguri, Darjeeling subject to condition that the said 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 or commit similar offences in future.

4. In the event he fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.
5. The application for bail, thus, stands allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)