

18.
13-02-2025
(ct. no.29)
(allowed)
debajyoti

CRM (NDPS) 22 of 2025

In re: An application for bail under Section 439 of the Code of Criminal Procedure/483 of the Bhartiya Nagarik Suraksha Sanhita in connection with Bhatpara Police Station Case No.261 of 2022 dated 02-04-2022 under Section 21(c) of the Narcotic Drugs and Psychotropic Substances Act.

- A n d -

In the matter of : Aktar Ali @ Teni

.... Petitioner.

Mr. Subhajit Chowdhury

... For the Petitioner.

Mr. Madhusudan Sur, learned APP,
Mr. Mujibar Ali Naskar

... For the State.

Dictated by Arijit Banerjee, J.

1. The petitioner claims parity citing orders dated March 22, 2024, April 12, 2024 and October 07, 2024 passed in CRM (NDPS) 515 of 2024, CRM (NDPS) 646 of 2024 and CRM (NDPS) 1604 of 2024 respectively, whereby three co-accused persons were enlarged on bail on the ground of delay in trial and long period of detention. The petitioner says that he stands on the same footing as he is in custody for 2 years 10 months.

2. Learned Additional Public Prosecutor, while opposing the prayer for bail, in his usual fairness, does not dispute that insofar as the delay in trial and period of detention is concerned, this petitioner is similarly circumstanced as the other three accused persons who had

been enlarged on bail. He further says that trial has started and one witness has already been examined.

3. Hence, on the ground of parity, we allow this application for bail.

4. Accordingly, we direct that the petitioner, namely, **Aktar Ali @ Teni**, shall be released on bail upon furnishing a bond of Rs.25,000/- (Rupees Twenty Five Thousand), with two sureties of Rs.12,500/- each, one of whom must be local, to the satisfaction of learned Judge, Special Court under NDPS Act, Barrackpore. The petitioner shall appear before the learned trial Court on every date of hearing and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever and/or commit any cognizable offence in any manner whatsoever. The petitioner shall remain within the jurisdiction of local police station and shall report to the Officer-in-Charge/Inspector-in-Charge of the said police station once in a week, until further orders.

5. In the event the petitioner fails to comply with any of the conditions stipulated above, the trial Court shall be at liberty to cancel the bail in accordance with law without further reference to this Court.

6. The application for bail is, thus, **allowed**.

7. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

8. Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)