

18.02.2025
Item no. 63.
Court No.29.
AB
(Allowed)

CRM (NDPS) 108 of 2025

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Palashipara Police Station Case No.397 of 2024 Dated 11.08.2024 under Section 21(c) of the NDPS Act

And

In the matter of : Nazbul Halsana @ NazuPetitioner.

Mr. Arnab Chatterjee
Ms. Dhanasree Biswas
Ms. Poulami Bosefor the Petitioner.

Mr. Joydeep Biswas
Mr. Ratul Ghoshfor the State.

Dictated by Arijit Banerjee, J.

1. The petitioner claims parity citing an order dated December 12, 2024, passed by a Coordinate Bench in CRM (NDPS) 1915 of 2024, whereby a co-accused person, by the name of Salauddin Mondal, was enlarged on bail. The petitioner says that he stands on the same footing. There was no recovery from him. He has been implicated on the basis of statement made by a co-accused person.
2. Learned State Advocate, while opposing the prayer for bail, in his usual fairness, does not dispute that this petitioner is similarly circumstanced as Salauddin Mondal.
3. Hence, on the ground of parity, we allow the petitioner's prayer for bail.

4. Accordingly, we direct that the petitioner, namely **NAZBUL HALSANA @ NAZU** shall be released on bail upon furnishing a bond of Rs.25,000/-, with two sureties of Rs.12,500/-each, one of whom must be local, to the satisfaction of the learned Judge, Special Court under the NDPS Act at Krishnagar, Nadia, and on further conditions that he shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence and/or commit any cognizable offence in any manner whatsoever.
5. In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this Court.
6. The application for bail is, accordingly, allowed.
7. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)

