

CRM (NDPS) 1921 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with **Baishnabnagar Police Station Case No. 08 of 2024 dated 03.01.2024 under Sections 21(C)/29** of the Narcotic Drugs & Psychotropic Substances Act 1985.

- A n d -

In the matter of : Babar Ali. Petitioner.

Mr. Avinaba Patra, ... For the Petitioner.

Mr. Saibal Bapuli, Ld. APP
Mr. Anindya Sundar Chatterjee, ... For the State.

Order dictated by Apurba Sinha Ray, J.

1. Status report filed by the State be kept with the records.
2. Learned counsel for the petitioner submits that the petitioner is entitled to bail in view of the decision of **Idul Mia** reported in **2024 SCC OnLine Cal 9109**.
3. Learned counsel for the State, showing his fairness, has also admitted that he is entitled to bail in view of the pronouncement of this Bench in the case of **Idul Mia (Supra)**. He also clarified the dates in connection with the relevant proceedings.
4. In view of the aforesaid and in view of the decision of this Bench in the case of **Idul Mia** reported in **2024 SCC OnLine Cal 9109**, we allow the petitioner's prayer for bail.
5. Accordingly, we direct that the petitioner, namely, **Babar Ali** 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), Malda, subject to the condition that the

petitioner shall remain within the jurisdiction of the concerned Police Station and shall meet the Officer-in-Charge/Inspector-in-Charge of the concerned Police Station, once in every week until further orders.

6. The petitioner 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 in any manner whatsoever.
7. 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.
8. The application for bail is, accordingly, allowed.
9. 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.)