

26.02.2026
Court No.35.
D/L.33.
Rakib

CRM 3597 of 2021

In Re: An Application for Cancellation of Bail Under Section 439(2) of the Code of Criminal Procedure, 1973.

And

In the matter of : The State of West Bengal.

.....Petitioner.

Mrs. Anusuya Sinha, Ld. APP
Mrs. Subhasree Patil

....for the State/petitioner.

Report submitted by the concerned Sub-Inspector of STF PS, Kolkata reflects that two of the accused opposite parties namely, Md. Ziaur Rahaman @ Zaidur and Md. Fakir Ahamed @ Fakiruddin i.e. opposite party no.1 and opposite party no.3 subsequently have been declared to be proclaimed offenders. Consequently, the liberty enjoyed by them in the bail order is deemed to be cancelled.

So far as the opposite party no.2 is concerned namely, Md. Atiur Rahaman @ Manoj, it is reflected from the report that he has been regularly attending the trial Court since 25.05.2021. The opposite party no.2 had been participating in the Court proceedings. There are no adverse remarks so far as his post bail conduct is concerned.

The issue relating to the grant of bail was on a question of law relating to applicability of Section 36A(4) of the NDPS Act.

More than five years have passed since opposite party no.2 was granted bail. As there is no adverse remarks so far as the conduct of the opposite party no.2 is concerned, I am not inclined to

interfere with the order of bail granted on 24.02.2021 to the opposite party no.2.

With the aforesaid observations CRM 3597 of 2021 is disposed of.

Report submitted by the State/petitioner be kept with the record.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)