

N.D.P.S. Case No. 150/2022

Order No. 20, dated 16.11.2023.

The case record is put up in pursuance of a petition filed on behalf of accused Jahangir Seikh. A server copy of the order of the Hon'ble High Court is filed by the Ld. Advocate for the accused person. He also files an Affidavit in respect of genuineness of the document.

The above named accused person surrenders before this court. He is taken into custody.

Recall W.A. and W.P. & A.

Vokatnama is filed. Let it be kept with the case record.

The Hon'ble High Court, Calcutta was pleased to allow anticipatory bail u/S. 438 of the Cr.P.C. of the present petitioner Jahangir Sk. by order dated 13.10.2023 with a direction to surrender before this Court within 15 days and on his surrender, he shall be released on bail by this court on such terms and conditions as deemed just and proper in the facts and circumstances of the case. However, by filing an affidavit it is contended that the said order of the Hon'ble High Court, Calcutta was uploaded on 19.10.2023 after 2.00 p.m. and since 20.10.23 till 15.11.23 this court was close due to Durga Puja Vacation. Accordingly, the petitioner had no scope to surrender within the stipulated period and today on the day of opening of the court, the petitioner has surrender in compliance with the direction of the Hon'ble Court.

Ld. P.P. in-charge is present.

Ld. Advocate for the accused person by filing petition along with server copy of order passed by the Hon'ble High Court submits that the Hon'ble High Court has been pleased to grant anticipatory bail u/S. 438 of the Cr.P.C. in favour of the accused person and he prays for necessary order for furnishing bond.

Ld. P.P. in-charge does not oppose the prayer in view of the order of the Hon'ble Court.

Perused the server copy of order of the Hon'ble High Court, passed in C.R.M. (A) No. 4192 of 2023 dated 13.10.2023.

On perusal of the server copy of order of the Hon'ble High Court, passed in C.R.M. (A) No. 4192 of 2023 dated 13.10.2023, I find that the Hon'ble High Court has been pleased to pass the following order :-

“.....Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation, nature of evidence and completion of investigation, it is directed that the petitioner shall surrender before the learned Judge, Special Court under NDPS Act, Berhampore, Murshidabad in NDPS Case No.150 of 2022 arising out of the aforesaid P.S. case within 15 days from today. On his surrender and application for bail, he shall be released on bail by the aforesaid Court on such terms and conditions as deemed just and proper in the facts and circumstances of the case.”

Accordingly, accused Jahangir Seikh shall be released on bail upon furnishing bond of Rs. 10,000/-, with two registered sureties of Rs. 5,000/- each, on condition that he shall appear before this court on every date of hearing until further orders and shall not abscond and also shall not intimidate witnesses or tamper with evidence in any manner whatsoever, subject to the satisfaction of this court, i.d. to J.C.

In view thereof, the accused person is permitted to furnish bond in terms of the order of the Hon'ble Court.

Let the server copy of the order of the Hon'ble Court be kept with the record.

To date (i.e. 24.11.2023) for appearance, if on bail.

Dictated & corrected by me,

Judge.
(J.O. Code WB 00687)

ADJ, 2nd Court, Cum,
Judge, Special Court, N.D.P.S. Act,
Berhampore, Murshidabad.
(J.O. Code WB 00687)