

19.01.2021

Item No.28

Ct.No.28

dc.

Allowed

C.R.M. 8289 of 2020

(Via Video Conference)

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure.

And

In Re : **Sadar Biswas**

... Petitioner.

Mr. Prabir Majumder

... For the Petitioner.

Mr. Sanjoy Bardhan,
Mr. Palash Chandra Majhi

... For the State.

The present application under Section 439 of the code of Criminal Procedure has been preferred by the petitioner in connection with Taherpur P.S. Case No. 146 of 2018 dated 17.07.2018 under Section 21(c) of the Narcotic Drugs and Psychotropic Substances Act (N.D.P.S. Case No. 194/2018).

The learned advocate appearing for the petitioner submits that the petitioner is in custody for about 915 days and one Chitta Biswas Alias Subhas, who was arrested along with the petitioner, had already been granted bail by an order dated 7th February, 2020 passed by the Hon'ble Supreme Court in Criminal Appeal No. 245/2020.

The learned advocate appearing for the State opposes the petitioner's prayer.

Having heard the learned advocates and since a person similarly situated had already been enlarged on bail, we are of the opinion that further detention of the petitioner is not necessary.

Accordingly, we direct that the petitioner shall be released on bail subject to furnishing bail bond in the sum of Rs.2 lakhs with two like sureties to the satisfaction of the Judge, Special Court, NDPS Act, Nadia at Krishnagar.

The application for bail, being CRM 8289 of 2020, is, thus, disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)