

04.08.2022
Sl. No.5
akd
[ALLOWED]

C. R. M. (NDPS) 839 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 21.07.2022 in connection with Kaliachak Police Station Case No. 27 of 2016 dated 20.01.2016 under Sections 18/8(b) of the NDPS Act. (Special Case No.45 of 2016)

And

In Re: ***Gudar Mandal***

... .. Petitioner

Mr. Kalidas Saha

... .. for the petitioner

Mr. Swapan Banerjee

Mr. Anindya Sundar Chatterjee

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 185 days.

Report is placed on record. It appears from the report two accuseds are absconding. As a result, trial of the case could not commence. Keeping in mind the aforesaid fact, period of detention suffered by the petitioner and as investigation is complete, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely ***Gudar Mandal***, be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Judge, Special Court under the NDPS Act, 1985, Additional District Judge, 4th Court, Malda subject to condition that the said petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever or commit similar offences in future.

In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application for bail, thus, stands **allowed**.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)