

24.11.2022
Sl. No.10
akd
[ALLOWED]

C. R. M. (NDPS) 1381 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 17.11.2022 in connection with Nandakumar Police Station Case No. 297 of 2017 dated 15.09.2017 under Sections 20(b)(ii)(c)/29 of the NDPS Act.

And

In Re: **Arun Denre**

... .. Petitioner

Mr. Amal Krishna Samanta

... .. for the petitioner

Mr. Sanjay Bardhan
Mr. Palash Ch. Majhi

... .. for the State

Petitioner renews his prayer for bail. It is submitted on behalf of the petitioner that he is in custody for more than five years. It is further submitted there is inordinate delay in the trial of the case. Co-accused viz. Sk. Mansur Ali @ Sk. Mansur @ Mansur Ali has been enlarged on bail on similar ground.

Learned advocate appearing for the State opposes the prayer for bail.

We have considered the materials on record. We find there is inordinate delay in the trial of the case. Co-accused viz. Sk. Mansur Ali @ Sk. Mansur @ Mansur Ali has been enlarged on bail on similar ground. In view of the aforesaid fact and period of detention suffered by the petitioner, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely **Arun Denre**, 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-cum-Additional District & Sessions Judge, 3rd

Court, Tamluk, Purba Medinipur 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 any 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**.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)