

05.12.2022
Sl. No.11
akd
[ALLOWED]

C. R. M. (NDPS) 1431 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 29.11.2022 in connection with New Town Police Station Case No. 346 of 2019 dated 28.08.2019 under Sections 21(c)/29 of the NDPS Act.

And

In Re: ***Sankar Houli @ Sankar Hauli & Anr.***

... .. Petitioners

Mr. Shashanka Shekhar Saha

... .. for the petitioners

Mr. Saryati Datta

... .. for the State

It is submitted on behalf of the petitioners that they are in custody for about three years and three months. It is further submitted petitioners stand on the same footing with co-accuseds who have been granted bail by the Hon'ble Apex Court as well as this court. .

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

We have considered the materials on record. Petitioners stand on the same footing with co-accuseds who have been granted bail by the Hon'ble Apex Court as well as this court. Under such circumstances and in view of the period of detention suffered by them, we are of the opinion further detention of the accuseds/petitioners is not necessary.

Therefore, the accuseds/petitioners, namely ***(1) Sankar Houli @ Sankar Hauli & (2) Ananda Mondal***, be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten thousand only) each, 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 Sessions Judge, 6th Court, Barasat, North 24-Parganas subject to condition that the said petitioners 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 they fail to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel their bail automatically without reference to this court.

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

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)