

23.12.2022
Sl. No.10
akd
[ALLOWED]

C. R. M. (NDPS) 1529 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 19.12.2022 in connection with Uttarpara Police Station Case No. 82 of 2020 dated 28.02.2020 under Sections 20(b)(ii)(c)/29 of the NDPS Act. (NDPS Case No.13 of 2020)

And

In Re: ***Baburam Mondal***

... .. Petitioner

Mr. Sudip Ghosh Chowdhury

... .. for the petitioner

Mr. Swapan Banerjee

Mr. Suman De

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about two years and two months. Co-accused viz. Sandip Nandi has been enlarged on bail. Accordingly, he prays for bail on parity.

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

We have considered the materials on record. Due to inordinate delay in trial, co-accused viz. Sandip Nandi was enlarged on bail. Under such circumstances, we are of the opinion petitioner is entitled to be enlarged on bail on parity.

Therefore, the accused/petitioner, namely ***Baburam Mondal***, 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 Sessions Judge, Hooghly 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.)