

05.01.2023.
19.
Ct.No.28.
as
(Allowed)

C.R.M. (NDPS) 6 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection NDPS Case No.21 of 2019 arising out of Dankuni P. S. Case No.206 of 2019 dated 20.08.2019 under Sections 20(b)(ii)(c)/29 of the NDPS Act.

In the matter of : Md. Suleman.

.... Petitioner.

Mr. Arunava Ganguly.

...for the Petitioner.

Mr. Sanjoy Bardhan,
Mr. Palash Ch. Majhi.

...for the State.

Petitioner is in custody for about three years and four months. It is submitted there is inordinate delay in trial. Co-accused viz., Sk. Akram @ Raju is on bail. He prays for bail.

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

We have considered the materials on record. Petitioner is in custody for about three years and four months. Co-accused viz., Sk. Akram @ Raju has been enlarged on bail.

Under such circumstances, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner viz., Md. Suleman shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Judge, Special Court under N.D.P.S. Act, Hooghly subject to condition that he 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.

In the event the petitioner fails to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

This application for bail is, thus, disposed of.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)