

10.02.2023
sdas/tkm/ct 28
sl no. 16

C.R.M. (NDPS) 177 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Salar P.S case no. 7 of 2020 dated 13.1.2020 under sections 20(B) of the NDPS Act
and

Allowed

In Re : Jhontu Sk petitioner

Mr. Arnab Chatterjee
Mr. J I Hossain

..... for the petitioner

Mr. S Bardhan
Ms. Debjani Dasgupta

..... for the State

Petitioner is in custody for more than three years. It is submitted there is inordinate delay in trial.

Report is placed on record. From the report it appears only one out of nine witnesses have been examined. There is very slow progress in trial which infracts the fundamental right of the petitioner to speedy trial. There is little possibility of the trial concluding in near future.

Hence, we are inclined to grant bail to the petitioner on this score.

Accordingly, the petitioner 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 NDPS Act, Berhampore, Muirhsidabad on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

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 being CRM (NDPS) 177 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)