

13.03.2023
Sl. No.57
akd
[ALLOWED]

C. R. M. (NDPS) 179 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 25.01.2023 in connection with Liluah Police Station Case No. 129 of 2019 dated 12.06.2019 under Sections 20 (b)(ii)/29 of the NDPS Act.

And

In Re: **Ghasi Khora**

... .. Petitioner

Ms. Devi Priya Mitra

... .. for the petitioner

Mr. Imran Ali

Mrs. Debjani Sahu

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for more than three years and nine months. Co-accuseds have been enlarged on bail.

Report is placed on record.

We have considered the materials on record including the report. Petitioner is in custody for a protracted period of time. It is contended he is a juvenile. Co-accuseds have been enlarged on bail. There is no possibility of the trial concluding in the near future. In view of the protracted period of detention suffered by the petitioner which has infringed his right to speedy trial, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely **Ghasi Khora**, 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, Howrah 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.)