

06.02.2023
Sl. No.6
akd
[ALLOWED]

C. R. M. (NDPS) 181 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 30.01.2023 in connection with Taherpur Police Station Case No. 341 of 2021 dated 06.12.2021 under Section 21(c) of the NDPS Act and Sections 25/27 of the Arms Act. (NDPS Case No.137 of 2021)

And

In Re: **Prasanta Biswas**

... .. Petitioner

Mr. Angshuman Chakraborty
Mr. Shashanka Shekhar Saha

... .. for the petitioner

Mr. Ranadeb Sengupta

... .. for the State

Petitioner renews his prayer for bail. It is submitted on behalf of the petitioner that he is in custody for about 426 days. Co-accused has been granted bail by the Hon'ble Apex Court.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Petitioner stands on the same footing with co-accused who has been enlarged on bail. Under such circumstances and in view of the period of detention suffered by the petitioner, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely **Prasanta Biswas**, 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, Krishnanagar, Nadia 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.)