

24.02.2023.
15.
Ct.No.28.
as
(Allowed)

C.R.M. (NDPS) 347 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with N Case No.147 of 2019 arising out of Swarupnagar P. S. Case No.787 of 2019 dated 26.09.2019 under Sections 21(c)/29 of the NDPS Act.

In the matter of : Sahidul Mallick.

.... Petitioner.

Mr. Debasis Kar,
Mr. Arka Tilak Bhadra.

...for the Petitioner.

Mr. Sanjoy Bardhan,
Ms. Baishakhi Chatterjee.

...for the State.

Petitioner is in custody for more than three years. There is delay in trial. Co-accused has been enlarged on bail.

Learned Advocate for the State opposes the bail prayer.

We have considered the materials on record. Petitioner stands on the same footing with co-accused who has been enlarged on bail. Hence, we are inclined to extend the same privilege to the petitioner also.

Accordingly, the petitioner viz., Sahidul Mallick 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, Barasat, North 24-Paraganas 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.)