

20.03.2023
Sl. No.26
akd
[ALLOWED]

C. R. M. (NDPS) 428 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 09.03.2023 in connection with English Bazar Police Station Case No.155 of 2020 dated 16.02.2020 under Sections 21(c)/29 of the NDPS Act. (NDPS Case No.15 of 2020)

And

In Re: ***Rinki Singha***

... .. Petitioner

Mr. Amitabha Karmakar
Mr. Arup Kumar Bhowmick

... .. for the petitioner

Mr. Ranadeb Sengupta

... .. for the State

It is submitted on behalf of the petitioner that she is in custody for more than three years. It is further submitted there is inordinate delay in trial.

Learned Advocate for the State opposes the prayer for bail and submits trial is in progress. Only one witness has been examined in full.

We have considered the materials on record. Progress in trial is not appreciable. Co-accused has been enlarged on bail on the ground of inordinate delay in trial. Petitioner stands on the same footing with the said co-accused and may be extended the same privilege.

Therefore, the accused/petitioner, namely ***Rinki Singha***, 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 Judge, 4th Court, Malda 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 she fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel her bail automatically without reference to this court.

The application for bail, thus, stands allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)