

06.04.2023
Sl. No.8
[ALLOWED]

C. R. M. (NDPS) 668 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 29.03.2023 in connection with Kolkata STF Case No.28 of 2019 dated 05.08.2019 under Sections 20(b)(ii)(c)/29 of the NDPS Act. (NDPS Case No.30 of 2019)

And

In Re: ***Mashuque Ahmed***

... .. Petitioner

Mr. M. Hossain
Mr. S. Lahiri

... .. for the petitioner

Mr. Parthapratim Das
Mrs. Manasi Roy

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about three years and three months. It is further submitted there is inordinate delay in trial.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Co-accused have been enlarged on bail on the ground of inordinate delay in trial. Hence, we are inclined to extend the same privilege to the petitioner also.

Therefore, the accused/petitioner, namely ***Mashuque Ahmed***, 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, City Sessions Court, Calcutta 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.)