

06.04.2023.  
18.  
Ct.No.28.  
(Allowed)

**C.R.M. (NDPS) 678 of 2023**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.28 of 2020 arising out of Special Task Force (STF) P. S. Case No.19 of 2020 dated 25.07.2020 under Sections 22(c)/29 of the NDPS Act.

In the matter of : Ismail Sk.

.... Petitioner.

Ms. Minoti Gomes,  
Mr. Joy Chakraborty,  
Mr. Sandip Dinda.

...for the Petitioner.

Mr. Rudradipta Nandy, Id. A.P.P.,  
Mrs. Sonali Das.

...for the State.

Petitioner is in custody for two years and eight months.

He prays for bail.

Learned Advocate for the State opposes the bail prayer.

We have considered the materials on record. Co-accused has been granted bail on the ground of delay in trial. Petitioner is entitled to similar relief.

Accordingly, the petitioner viz., Ismail Sk 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-I, N.D.P.S. Act, City Sessions Court, Calcutta 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.)**