

10.04.2023.
14.
Ct.No.28.
as
(Allowed)

C.R.M. (NDPS) 681 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection NDPS Case No.13 of 2019 arising out of Special Task Force (STF) P. S. Case No.13 of 2019 dated 03.04.2019 under Sections 15(c)/29 of the NDPS Act.

In the matter of : Mithun Mondal.

.... Petitioner.

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

...for the Petitioner.

Mr. Saryati Datta.

...for the State.

Petitioner is in custody for more than four years. He submits there is inordinate delay in trial. Co-accused has been enlarged on bail. He prays for bail.

Learned Advocate for the State opposes the bail prayer and produces the Case Diary.

We have considered the materials on record. In spite of incarceration for more than four years, there is no appreciable progress in the trial.

Under such circumstances and as co-accused has been enlarged on bail, petitioner is entitled to similar relief.

Accordingly, the petitioner viz., Mithun Mondal 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, Bench-I (NDPS 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.

(Partha Sarathi Sen, J.)

(Joymalya Bagchi, J.)