

10.04.2023.
19.
Ct.No.28.
as
(Allowed)

C.R.M. (NDPS) 686 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Golabari P. S. Case No.217 of 2019 dated 12.06.2019 under Sections 20(b)(ii)(C)/29 of the NDPS Act.

In the matter of : Md. Shahed @ Md. Sahid @ Raju.
.... Petitioner.

Mr. Mrityunjoy Chatterjee,
Mr. Ravi Ranjan Kumar,
Mr. Debapriya Majumder.

...for the Petitioner.

Mr. Sudip Ghosh,
Mr. Apurba Kr. Datta.

...for the State.

Petitioner is in custody for more than three years. He submits there is inordinate delay in trial. He prays for bail.

Learned Advocate for the State opposes the bail prayer. He submits petitioner is a member of an organised gang which deals in drugs as well as stolen motorcycle.

We have considered the materials on record. Though petitioner is in custody for three years and ten months, there is no appreciable progress in trial. On such premise, co-accused has been enlarged on bail. Hence, we are inclined to grant bail to the petitioner, however, subject to conditions.

Accordingly, the petitioner viz., Md. Shahed @ Md. Sahid @ Raju 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 the NDPS Act, Howrah 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 and on further condition that the petitioner while on bail shall remain within the District of North 24-Paraganas except for attending court proceeding and report to the Officer-in-charge, Belghoria Police Station once in a week until further orders.

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.)