

18.04.2023
Sl. No.8
akd
[ALLOWED]

C. R. M. (NDPS) 750 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 10.04.2023 in connection with Golabari Police Station Case No.217 of 2019 dated 12.06.2019 under Sections 20(b)(ii)(c)/29 of the NDPS Act.

And

In Re: ***Pradip Ruidas***

... .. Petitioner

Mr. Mrityunjoy Chatterjee

... .. for the petitioner

Mr. Sudip Ghosh

Mr. Bitasok Banerjee

Mr. Apurba Kumar Datta

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for more than three years. Co-accused viz. Iftekar Alam @ Sonu @ Mota has been enlarged on bail. Accordingly, petitioner renews his prayer for bail.

Learned Advocate for the State opposes the prayer for bail and submits bail prayer of the petitioner was rejected in December, 2022.

We have considered the materials on record. Co-accused viz. Iftekar Alam @ Sonu @ Mota has been enlarged on bail in March, 2023. Petitioner stands on the same footing with the said co-accused. In view of the aforesaid change in circumstance, we are inclined to revisit the issue and allow the bail prayer of the petitioner.

Therefore, the accused/petitioner, namely ***Pradip Ruidas***, 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, Howrah 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.)