

17.04.2023.
16.
Ct.No.28.
as
(Allowed)

C.R.M. (NDPS) 757 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with TR No. 03 of 2020 arising out of Jagacha P. S. Case No.08 of 2020 dated 14.01.2020 under Sections 20(b)(ii)(c)/29 of the NDPS Act.

In the matter of : Surojit Biswas @ Babli.

.... Petitioner.

Mazahar Hossain Chowdhury,
Ms. Mobashshara Alam.

...for the Petitioner.

Mr. Sanjoy Bardhan,
Ms. Baishakhi Chatterjee.

...for the State.

Petitioner is in custody for more than three years. There is inordinate delay in trial. Co-accused have been enlarged on bail. He prays for bail on parity.

Learned Advocate for the State opposes the bail prayer..

We have considered the materials on record. There is delay in trial. On such score, co-accused have been enlarged on bail.

In view of the aforesaid, we are inclined to extend the same privilege to the petitioner also.

Accordingly, the petitioner viz., Surojit Biswas @ Babli shall be released on bail upon furnishing a bond of Rs.50,000/- 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-cum-Additional District &

Sessions Judge, 3rd Court, 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.

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.)