

20.04.2023.
14.
Ct.No.28.
as
(Allowed)

C.R.M. (NDPS) 819 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with 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 : Satya Saha.

.... Petitioner.

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

...for the Petitioner.

Mr. Rudradipta Nandy, Id. A.P.P.,
Mr. Subrato Roy.

...for the State.

Petitioner is in custody for more than four years. Co-accused have been enlarged on bail. He prays for bail.

Learned Advocate for the State opposes the bail prayer.

We have considered the materials on record. Though allegations involved possession of large quantity of poppy straw, petitioner has suffered incarceration for a protracted period of time and co-accused have been released on bail on the ground of delay in trial. Hence, petitioner is entitled to similar relief.

Accordingly, the petitioner viz., Satya Saha 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, 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.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)