

21.04.2023  
Sl. No.12  
**akd**  
[ALLOWED]

**C. R. M. (NDPS) 826 of 2023**

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 17.04.2023 in connection with Special Task Force (STF) Police Station Case No.09 of 2020 dated 15.02.2020 under Sections 22(c)/29 of the NDPS Act. (NDPS Case No.12 of 2020)

And

In Re: **Md. Anish**

... .. Petitioner

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

... .. for the petitioner

Mr. Binay Panda  
Mrs. Puspita Saha

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for more than three years. It is further submitted there is inordinate delay in trial. Co-accused similarly circumstanced with the petitioner have been enlarged on bail. Accordingly, he prays for bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Co-accused similarly circumstanced with the petitioner have been enlarged on bail. Hence, we are inclined to extend the same privilege to the petitioner also.

Therefore, the accused/petitioner, namely **Md. Anish**, 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, Bench-I, City Sessions Court, Calcutta 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.)**