

25.04.2023
as/tkm/ct 28
sl no. 19

C.R.M. (NDPS) 863 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Raninagar P.S case no. 166 of 2020 dated 26.4.2020 under sections 21(c)/29 of the NDPS Act
and

Allowed

In Re : Seil Kumar Mondal @ Shil Kumar Mondal

..... petitioner

Mr. J I Hossain

Mr. C Debnath

..... for the petitioner

Mr. Antarikhya Basu

..... for the State

Petitioner is in custody for three years. It is submitted there is delay in trial. Co-accused Santosh Mondal has been enlarged on bail. He prays for bail.

Learned lawyer for the State opposes the bail.

We have considered the materials on record. Though petitioner is in custody for three years, charge has been framed on 16th March 2022 and till date no witness has been examined. Under such circumstances co-accused Santosh Mondal was enlarged on bail. Petitioner is entitled to similar relief.

Accordingly, the petitioner 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 NDPS Act, Berhampore, Murshidabad on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application being CRM (NDPS) 863 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)