

27.04.2023
Sl. No.7
akd
[ALLOWED]

C. R. M. (NDPS) 878 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 21.04.2023 in connection with Hastings Police Station Case No.87 of 2019 dated 26.08.2019 under Sections 20(b)(ii)(c)/29 of the NDPS Act. (NDPS Case No.35 of 2019)

And

In Re: **Gopal Biswas**

... .. Petitioner

Ms. Sabnam De
Mr. Dibyayan Banerjee

... .. for the petitioner

Mr. Madhusudan Sur .. Id. Addl. Public Prosecutor
Mr. Dipankar Paramanick

... .. 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 viz. Sankar Jana has been enlarged on bail. Accordingly, he prays for bail.

Learned Additional Public Prosecutor opposes the prayer for bail.

We have considered the materials on record. Co-accused viz. Sankar Jana has been enlarged on bail. Hence, we are inclined to extend the same privilege to the petitioner also.

Therefore, the accused/petitioner, namely **Gopal Biswas**, 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.)