

15.05.2023
Sl. No.13
akd
[ALLOWED]

C. R. M. (NDPS) 969 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 08.05.2023 in connection with Liluah Police Station Case No.230 of 2018 dated 19.07.2018 under Sections 20(b)(ii)(c)/29 of the NDPS Act.

And

In Re: **Jesmine Sk.**

... .. Petitioner

Mr. Soumya Basu Roy Chowdhury

... .. for the petitioner

Mr. Sanjay Bardhan

Mr. Palash Ch. Majhi

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about four years and ten months. It is further submitted there is inordinate delay in trial. Co-accused has been enlarged on bail. Accordingly, he renews his prayer for bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Bail prayer of co-accused on the ground of inordinate delay in trial was allowed in CRM (NDPS) 952 of 2023. Petitioner stands on the same footing with the said co-accused. Hence, we are inclined to extend the same privilege to the petitioner also.

Therefore, the accused/petitioner, namely **Jesmine Sk.**, 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-cum-Additional District & Session Judge, 3rd Court, Howrah 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.)