

16.05.2023

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Allowed

C.R.M. (NDPS) No. 985 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure arising out of Liluah Police Station Case No. 230 of 2018 dated 17.07.2018 under Sections 20(b)(ii)(c)/29 of the N.D.P.S. Act.

And

In Re : Jaidul Sk. petitioner

Mr. Mrityunjoy Chatterjee

Mr. Debapriya Majumder

.....for the petitioner

Mr. Ranadeb Sengupta

.....for the State

Learned Counsel for the petitioner submits he is in custody for about five years. There is delay in trial. Co-accused has been enlarged on bail.

Learned Counsel for the State opposes the prayer for bail.

We have considered the materials on record. Petitioner stands on the same footing with the said co-accused. Accordingly, he may be enlarged on bail.

Accordingly, we direct that the petitioner 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, Special Court under NDPS Act, Howrah, subject to conditions that 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.

In the event 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.

The application for bail is, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)