

17.05.2023
Sl. No.10
akd
[ALLOWED]

C. R. M. (NDPS) 999 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 11.05.2023 in connection with Hingalganj Police Station Case No.58 of 2020 dated 27.04.2020 under Section 20(a)(b)(C) of the NDPS Act.

And

In Re: ***Bappa Mondal @ Babaji Mandal***

... .. Petitioner

Mr. Arnab Chatterjee

... .. for the petitioner

Mr. Sanjay Bardhan
Ms. Debjani Dasgupta

... .. 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 has 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. Bail prayer of co-accused on the ground of inordinate delay in trial was allowed in CRM (NDPS) 911 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 ***Bappa Mondal @ Babaji Mandal***, 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 Sessions Judge, 6th Court, Barasat, North 24-Parganas 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.)