

07.07.2023

8

sdas

Allowed

C.R.M. (NDPS) No. 1122 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Liluah Police Station Case No. 65 of 2019 dated 15.03.2019 under Sections 20(b)(ii)(c)/29 of the N.D.P.S. Act.

And

In Re : Abid Hasan @ Bablu & Anr. petitioners

Mr. Jisan Hossain

.....for the petitioners

Mr. Ranabir Roy Chowdhury

Mr. Sandip Chakraborty

.....for the State

Heard the learned Counsel for the parties.

We have considered the materials on record. Petitioners are in custody for four years and four months. There is delay in trial. Co-accused has been enlarged on bail on the ground of inordinate delay in trial. Petitioners stand on the same footing with the said co-accused and is entitled to similar relief.

Accordingly, we direct that the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each 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 they 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. They shall remain

within the jurisdiction of the local police station and shall report to the Officer-in-Charge of the said police station once in every fortnight until further orders.

In the event they fail to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel their 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.)