

04.07.2023.
D/L 30
Ct.No.28
SKB
(Allowed)

C.R.M. (NDPS) 1207 of 2023

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

In the matter of : Ainul Sk.

.... Petitioner

Mr. Arnab Chatterjee,
Ms. Poulami Bose,
Ms. Chandrima Debnath

... for the Petitioner

Mr. Ranabir Roy Chowdhury,
Mr. Sandip Chakraborty

... for the State

Petitioner is in custody for more than four years. He submits there is delay in trial. He prays for bail.

Learned Advocate for the State opposes the bail prayer.

We have considered the materials on record. Though the petitioner is in custody for more than four years, only one witness was examined. There is little possibility of trial concluding in the near future. There is no chance of his abscondence.

Keeping in mind the aforesaid facts and circumstances of the case, we are of the opinion further detention of the petitioner is not necessary and petitioner may be enlarged on bail.

Accordingly, the petitioner viz., Ainul Sk. 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, the NDPS Act, Howrah subject to condition that he 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 the 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, thus, disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)