

20.07.2023
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allowed

CRM (NDPS) No. 1289 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. 230 of 2018 dated 19.07.2018 under Sections 20(b)(ii)(C)/29 of the NDPS Act.

And
In Re : Sopura Bibi petitioner

Mr. Soumya Basu Roy Chowdhuri
.....for the petitioner

Mr. Sanjoy Bardhan
Mr. Palash Chandra Majhi
..... for the State

Learned Counsel for the petitioner submits she is in custody for more than five years. Co-accused has been granted bail on the ground of inordinate delay in trial. She prays for bail.

Learned Counsel for the State opposes the prayer of bail.

We have considered the materials on record. Though allegations involve possession of narcotics above commercial quantity there is inordinate delay in trial. On such ground co-accused has been enlarged on bail. Petitioner is entitled to bail on parity.

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 the conditions that petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel her bail automatically without further reference to this Court.

The application for bail is, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)