

04.08.2023
Sl. No.4
akd
[ALLOWED]

C. R. M. (NDPS) 1358 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 31.07.2023 in connection with Howrah GRPS Police Station Case No.24 of 2022 dated 03.04.2022 under Section 20(b) of the NDPS Act.

And

In Re: ***Tutul Ansari @ Tutul Ansari***

... .. Petitioner

Mr. Soumya Basu Roy Chowdhury

... .. for the petitioner

Mr. Ranadeb Sengupta

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 489 days. It is further submitted there is delay in trial. Accordingly, he prays for bail.

Learned Advocate for the State opposes the prayer for bail and submits one witness has been examined.

We have considered the materials on record. Quantity of narcotics recovered from the petitioner is below commercial quantity. Balancing the nature of accusation with the period of detention suffered by the petitioner, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely ***Tutul Ansari @ Tutul Ansari***, 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 District & Sessions Judge, 3rd Court, Howrah 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.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)