

12.10.2023
sdas/ tkm/ct 28
sl no. 12

C.R.M. (NDPS) 1676 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with STF P.S case no. 15 dated 8.9.2018 under section 22(c)/29 of the NDPS Act
and

Allowed

In Re : Sabir Sk @ Juel

..... petitioner

Ms. Amrin Khatoon
Mr. A Purohit
Mr. S Rajak

..... for the petitioner

Mr. Ranadeb Sengupta

..... for the State

1. Petitioner is in custody for more than five years. He submits there is delay in trial. Co-accused under similar circumstances have been enlarged on bail. He prays for bail.
2. Learned lawyer for the State opposes the bail prayer.
3. We have considered the materials on record. On the score of delay in trial we note that co-accused Narayan Mondal has been enlarged on bail. Petitioner stands on the same footing and is entitled to the same relief.
4. Accordingly, the petitioner 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 Bench 1 (NDPS Act), City Sessions Court, Calcutta on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.
5. In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.
6. The application being CRM (DB) 1676 of 2023 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)