

08.11.2023
jb/tkm (13)
ct8

C.R.M.(NDPS) 1811 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Goalpokher P.S case no. 241 of 2022 dated 30.6.2022 under sections 21(c)/ 29 of the NDPS Act

and

Allowed

In Re : Raj Kumar Singha

... petitioner

Mr. Maynak Roy
Mr. Dhiraj Lakhotia

.....For the petitioner.

Mr. Arijit Ganguly
Mr. S K Dan

.....For the State.

1. The accused was intercepted with 49 bottles of codeine mixture and is in custody for over 500 days. The trial has not yet commenced though the charges have been framed. The next date for trial is fixed on 22nd, 23rd and 26th February 2024 respectively. There are in total seen witnesses. The trial, therefore, is likely to take a considerable period of time. There is no requirement of the petitioner being detained for trial at this stage. The likelihood of the petitioner influencing the trial is also minimum.
2. Learned advocate for the State vehemently opposes the prayer for bail.
3. Considering the facts and circumstances of the case, we are inclined to grant bail to the petitioner on the following conditions:

4. The petitioner will be enlarged on bail upon furnishing a bond of Rs. 10,000/- (Ten Thousand) 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, Raiganj, Uttar Dinajppur, on the following conditions:

- (i) The petitioner shall not leave the local limits of the jurisdictional police station where he resides without prior intimation to the I.C/O.C of the concerned police station.
- (ii) The petitioner should be present in court on the dates when the trial is fixed. In default, the trial court shall be at liberty to cancel the bail bond without reference to this Bench.
- (iii) The petitioner shall co-operate with the trial and shall obey all directions given from time to time.
- (iv) The petitioner shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

5. The trial be concluded as expeditiously as possible without granting any unnecessary adjournments to either of the parties.

6. The application for bail CRM (NDPS) 1811 of 2023 is, accordingly, disposed of.

(Biswaroop Chowdhury, J.)

(Arindam Mukherjee, J.)

