

18.12.2023

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Allowed

C.R.M. (NDPS) No. 1934 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Asansol(N) Police Station Case No. 221 of 2020 dated 15.09.2020 under Sections 20(b)(ii)/29 of the N.D.P.S. Act.

And

In Re : Chotu Prasad Chouhan petitioner

Mr. Ayan Basu
Sk. Salim
Mr. Sumit Routh

.....for the petitioner

Mr. Avishek Sinha

.....for the State

1. Heard the learned Counsels for the parties.

2. We have considered the materials on record.

Petitioner is in custody for more than three years. There is inordinate delay in trial. On such score co-accused has been enlarged on bail. Accordingly, petitioner is entitled to bail on same terms and conditions.

3. 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, Asansol, Paschim Bardhaman, subject to condition that 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.

4. In the event 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.

5. The application for bail is, accordingly, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)