

19.12.2023
Sl. No.8
akd
[ALLOWED]

C. R. M. (NDPS) 1949 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 29.11.2023 in connection with Chinsurah Police Station Case No.203 of 2020 dated 12.07.2020 under Section 20(b)(ii)(c) of the NDPS Act. (NDPS Case No.37 of 2020)

And

In Re: **Sanjay Ganguly**

... .. Petitioner

Mr. Rohan Dwaipayan Bhowmick
Mr. Shubha Dey

... .. for the petitioner

Mr. Shekhar Barman

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for more than three years. Co-accused viz. Sk. Asraf has been enlarged on bail on the ground of delay in trial. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the prayer for bail.
3. We have considered the materials on record. On the score of delay in trial, co-accused viz. Sk. Asraf has been enlarged on bail. In view of the aforesaid fact and the period of detention suffered by the petitioner, we are of the opinion further detention of the accused/petitioner is not necessary.
4. Therefore, the accused/petitioner, namely **Sanjay Ganguly**, 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 Sessions Judge, Chinsurah, Hooghly 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.

5. 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.
6. The application for bail, thus, stands allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)