

20.12.2023
Sl. No.15
akd
[ALLOWED]

C. R. M. (NDPS) 2011 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 06.12.2023 in connection with Asansol GRPS Police Station Case No.55 of 2021 dated 25.07.2021 under Sections 20(b)(ii)(c)/29 of the NDPS Act. (NDPS Case No.20 of 2021)

And

In Re: ***Laxman Mondal***

... .. Petitioner

Mr. Uday Sankar Chattopadhyay
Ms. Trisha Rakshit
Mr. Rajashree Tah
Ms. Aisharya Dutta

... .. for the petitioner

Mr. Soumik Ganguli

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for about two years and five months. It is further submitted there is inordinate delay in trial. On such score, co-accused viz. Ganesh Roy @ Lada has been enlarged on bail. 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. Ganesh Roy @ Lada 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 ***Laxman Mondal***, 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, 3rd Court, Asansol, Paschim Bardhaman 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.)