

21.12.2023
Sl. No.14
akd
[ALLOWED]

C. R. M. (NDPS) 2030 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 12.12.2023 in connection with Berhampore Police Station Case No.418 of 2020 dated 07.05.2020 under Sections 22(c)/29 of the NDPS Act. (NDPS Case No.111 of 2020)

And

In Re: ***Bablu @ Saddam Hossain***

... .. Petitioner

Mr. Soumyajit Das Mahapatra
Mr. Soumyajit Das
Mr. Ali Ahsan Alamgir
Ms. Soma Mal
Ms. Rabia Khatoon
Ms. June Modak

... .. for the petitioner

Mr. Shekhar Barman

... .. for the State

1. It is submitted on behalf of the petitioners that he is in custody for about three years and seven months. It is further submitted there is inordinate delay in trial. On such score, co-accused have 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 have 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 ***Bablu @ Saddam Hossain***, be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten thousand only) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Murshidabad at Berhampore 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.)