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***Calcutta High Court
In the Circuit Bench at Jalpaiguri***

CRM (NDPS) 81 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed on 06.01.2023 in connection with Matigara Police Station Case No. 597 of 2021 dated 01.07.2021 under Sections 21(c) of the NDPS Act, 1985.

In the matter of : Guljar Mia @ Gujara Mia and others
... petitioners

Mr. Kallal Ghosh,
Mr. Sandip Guha Roy

...for the petitioners

Mr. Kallol Acharjee,
Mr. Tapan Bhattacharjee

.....for the State.

Heard learned counsel appearing for the parties.

Learned counsel appearing for the petitioners contends that the petitioners are in custody for about 588 days. That apart, it is evident from the list of dates given with the bail application that the trial has been adjourned day after day, at least on the last five occasions, at the stage of evidence.

Learned counsel appearing for the State opposes the prayer for bail.

However, in view of the long custody of the petitioners and in view of the fact that there is no immediate chance of

conclusion of trial, we are inclined to grant bail to the petitioners.

Accordingly, CRM (NDPS) 81 of 2023 is allowed, thereby granting bail to the petitioners on condition that the petitioners shall furnish individual bond of Rs. 10,000/- (Rupees Ten Thousand) each, 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), Siliguri. The sureties may be common in respect of all the petitioners. The petitioners shall not leave the territorial jurisdiction of the trial court during the entire period of trial and attend trial on each and every date.

(Sabyasachi Bhattacharyya, J.)

(Rai Chattopadhyay, J.)