

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE**

27.02.2023.
64/tkm

C.R.M. (NDPS) 196 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Bhaktinagar P.S case no. 418 of 2018 dated 15.6.2018 under sections 22(c)/23(c) of the NDPS Act

and

Allowed

In Re : Rajib Kumar Das @ Rajib Kr. Das @ Raju
..... petitioner

Mr. J K Bhowmik
Mr. S Bhowmick

..... for the petitioner

Mr. Saikat Chatterjee
Mr. Sagnik Sankar Sikdar

..... for the State

Petitioner is in custody for more than four years. It is submitted co-accused has been enlarged on bail. He stands on the same footing with the co-accused. He prays for bail.

Learned lawyer for the State opposes the bail prayer.

We have considered the materials on record. Co-accused was enlarged on bail by the Hon'ble Apex Court. Petitioner stands on the same footing. There is little possibility of the trial concluding in near future.

Under such circumstances, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner 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 Additional Sessions Judge, 1st Court, Jalpaiguri on condition that the petitioner shall appear before the trial court

on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application being CRM (NDPS) 196 of 2023 is disposed of.

(Subhendu Samanta,J.)

(Joymalya Bagchi, J.)