

10.01.2024
sdas/tkm/ct 28
sl no. 14

C.R.M. (NDPS) 35 of 2024

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Dumdum P.S case no. 1018 of 2021 dated 10.9.2021 under sections 21(c) of the NDPS Act
And

Allowed

In Re : Prahladh Shaw @Praladh Shaw @ Prahallad Shaw
@Prasanta @Prasant ... petitioner

Mr. S K Das

..... for the petitioner

Mr. B K Roy

Mr. Antarikhshya Basu

..... for the State

1. Petitioner is in custody for more than two years. He contends there is delay in trial. Co-accused has been enlarged on bail. He prays for bail.
2. Learned lawyer for the State opposes the bail prayer.
3. We have considered the materials on record. Petitioner is in custody for more than two years. There is no possibility of trial concluding in the near future. Co-accused Akash Nayak @ Raja Nayak similarly circumstanced with the petitioner has been enlarged on bail. Petitioner is entitled to similar relief.
4. 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 learned Special Judge under NDPS Act Barackpore, North 24 Parganas 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.
5. 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.
6. The application being CRM (NDPS) 35 of 2024 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)