

15.01.2024.
19.
Ct.No.28.
as
(Allowed)

C.R.M. (NDPS) 80 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with N-89 of 2021 arising out of Airpor P.S. Case No.380 of 2021 dated 07.10.2021 under Sections 20(b)(ii)(C)/27A/29 of the NDPS Act.

In the matter of : **Harish Yadav.**

.... Petitioner.

Mr. Subhajit Chowdhury.

...for the Petitioner.

Mr. Sanjib Kr. Dan.

...for the State.

1. Heard the learned Advocates for the parties.
2. We have considered the materials on record. Petitioner is in custody for two years and two months. Co-accused has been enlarged on bail on the ground of delay in trial. Petitioner stands on the same footing with the said co-accused and he is entitled to similar relief.
3. Hence, we are inclined to grant bail to the petitioner under the same terms and conditions.
4. Accordingly, the petitioner viz., **Harish Yadav** shall 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 Judge, Special Court under the NDPS Act, Barrackpore, North 24-Paraganas subject to condition that he 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 and on further condition

that the petitioner, while on bail, shall remain within the district of North 24-Paraganas and shall provide the address where he shall presently reside to the Investigating Agency as well as the court below and shall meet the Officer-in-charge of the police station concerned within whose jurisdiction he shall presently reside once in a week until further orders.

5. In the event the petitioner fails to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

6. This application for bail is, thus, disposed of.

(Partha Sarathi Sen, J.)

(Joymalya Bagchi, J.)