

19.01.2024
Sl. No.7
akd
[ALLOWED]

C. R. M. (NDPS) 120 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 10.01.2024 in connection with Jagaddal Police Station Case No.856 of 2021 dated 20.11.2021 under Sections 20(b)(ii)(c)/25/29 of the NDPS Act.

And

In Re: **Akash Santra & Ors.**

... .. Petitioners

Mr. Angshuman Chakraborty
Mr. Shashanka Shekhar Saha

... .. for the petitioners

Ms. Amita Gaur

... .. for the State

1. It is submitted on behalf of the petitioners that they are in custody for more than two years and two months. It is further submitted there is inordinate delay in trial. Co-accused has been enlarged on bail. Accordingly, they pray for bail.
2. Learned Advocate for the State opposes the prayer for bail.
3. We have considered the materials on record. Petitioners are in custody for a protracted period of time. There is little possibility of trial concluding in the near future. On the score of delay in trial, co-accused has been enlarged on bail. In view of the aforesaid fact and the period of detention suffered by the petitioners, we are of the opinion further detention of the petitioners is not necessary.
4. Therefore, the petitioners, namely **(1) Akash Santra, (2) Santosh Singh & (3) Karunakara Bag @ Karna**, 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 Judge, Special Court under the NDPS Act-cum-Additional Sessions Judge, 1st Court, Barrackpore, North

24-Parganas subject to condition that the said petitioners 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 petitioner no.3, while on bail, shall remain within the district of North 24-Parganas and shall provide the address where he shall presently reside to the Investigating Agency as well as the court below and shall report to the Officer-in-charge, Jagaddal Police Station once in a week until further orders.

5. In the event they fail to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel their bail automatically without reference to this court.
6. The application for bail, thus, stands allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)