

18.01.2024

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Allowed

C.R.M. (NDPS) No. 117 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Gaighata Police Station Case No. 80 of 2022 dated 24.01.2022 under Sections 20(b)(ii)(c)/29 of the N.D.P.S. Act.

And

In Re : Siddharth Bedh alias Siddharta Bedh petitioner

Mr. Angshuman Chakraborty

Mr. S. S. Saha

.....for the petitioner

Mr. Ranadeb Sengupta

.....for the State

1. Heard the learned Counsels for the parties.

2. We have considered the materials on record. 23.2 kgs. of Ganja was recovered from the joint possession of the petitioner and another. Though he is in custody for more than two years only two out of eight witnesses have been examined. There is little possibility of trial concluding in the near future. Under such circumstances we are of the opinion there is inordinate delay in trial and petitioner may be enlarged on bail.

4. Accordingly, we direct that the petitioner 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 NDPS Act-cum-learned Additional Session Judge, 6th Court, Barasat, North 24 Parganas, subject to conditions that

petitioner 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.

5. In the event 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. The application for bail is, accordingly, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)