

22.01.2024.
14.
Ct.No.28.
as
(Allowed)

C.R.M. (NDPS) 146 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Special Case No.81 of 2021 arising out of Kaliachak P.S. Case No.918 of 2021 dated 02.09.2021 under Sections 22(C)/29 of the NDPS Act.

In the matter of : **Subhan Sk.**

.... Petitioner.

Mr. Sagar Saha.

...for the Petitioner.

Mr. Aniket Mitra.

...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 four months. Petitioner prays for bail on the ground of delay in trial. Co-accused has been enlarged on bail on similar grounds.
3. Hence, we are inclined to extend the same privilege to the petitioner also.
4. Accordingly, the petitioner viz., **Subhan Sk** 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, Malda 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.

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

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)