

24.01.2024

21

sdas

Allowed

C.R.M. (NDPS) No. 160 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Belgharia Police Station Case No. 254 of 2021 dated 10.04.2021 under Sections 20(b)(ii)(c)/29 of the N.D.P.S. Act.

And

In Re : Milan Das & Anr. petitioners

Mr. Subhajit Chowdhury

.....for the petitioners

1. Heard the learned Counsel for the petitioners.

2. We have considered the materials on record.

Petitioners are in custody for two years and eight months. There is inordinate delay in trial. On such score co-accused has been enlarged on bail. Petitioners stand on the same footing with the co-accused and are entitled to similar relief.

3. Accordingly, we direct that the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each 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, Barrackpore, North 24-Parganas, subject to conditions 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.

4. In the event petitioners fail to appear before the trial court without any justifiable cause, the trial court shall be at

liberty to cancel their bail in accordance with law without further reference to this Court.

5. The application for bail is, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)