

01.02.2024

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Allowed

C.R.M.(NDPS) No. 206 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Lalgola Police Station Case No. 717 of 2021 dated 01.10.2021 under Sections 21(c)/29 of the NDPS Act.

And

In Re : Azim Sk & Anr. petitioners

Mr. Arnab Chatterjee
Ms. Dhanasree Biswas
Ms. Poulami Bose

... for the petitioners

Mr. Suman De

... for the State

1. Heard the learned Counsels for the parties.

2. We have considered the materials on record.

Petitioners are in custody for more than two years and four months. There is delay in trial. On similar grounds co-accused has been enlarged on bail. Petitioners 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-cum-learned Additional District Judge, 2nd Court, Berhampore, Murshidabad, subject to conditions that they 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.

4. 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 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.)