

05.02.2024.

11.

Ct.No.28.

as

(Allowed)

C.R.M. (NDPS) 224 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.05 of 2020 arising out of Asansol North P. S. Case No.196 of 2020 dated 12.08.2020 under Sections 20(b)(ii)(C) of the NDPS Act.

In the matter of : **Anil Nonia.**

.... Petitioner.

Mr. Ayan Basu,
Sk. Salim,
Mr. Sourav Bera,
Mr. Sumit Routh.

...for the Petitioner.

Mr. Debasish Roy, Id. P.P.,
Ms. Sreyashee Biswas.

...for the State.

1. Petitioner is in custody for more than three years. He contends co-accused is on bail. Accordingly, he prays for bail on the ground of delay in trial.
2. Learned Advocate for the State opposes the bail prayer. He contends trial is in progress.
3. We have considered the materials on record. Allegations involve recovery of 330.450 kgs. of ganja which is above commercial quantity from a vehicle. Co-accused has been released on bail on the ground of delay in trial. Petitioner stands on the same footing with the said co-accused who has been enlarged on bail.
4. Under such circumstances, we are inclined to extend the similar relief to the petitioner.
5. Accordingly, the petitioner viz., **Anil Nonia** 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 N.D.P.S. Act, Asansol, Paschim Bardhaman 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.

6. 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.

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

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)