

07.02.2024
Sl. No.19
akd
[ALLOWED]

C. R. M. (NDPS) 249 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 29.01.2024 in connection with Asansol North Police Station Case No.196 of 2020 dated 12.08.2020 under Section 20(b)(ii)(c) of the NDPS Act. (NDPS Case No.05 of 2020)

And

In Re: **Lakhan Lal Shaw**

... .. Petitioner

Mr. Ayan Basu
Mr. Biswajit Tiwari
Sk. Salim
Mr. Sumit Routh

... .. for the petitioner

Mr. Debabrata Chatterjee .. Id. Addl. Public Prosecutor
Mr. Santanu Chatterjee
Mr. Siladitya Banerjee

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for more than three months. It is further submitted there is inordinate delay in trial. Co-accused has been enlarged on bail. Accordingly, he prays for bail on parity.
2. Learned Advocate for the State opposes the prayer for bail.
3. We have considered the materials on record. Though a large volume of *Ganja* was recovered, co-accused has been enlarged on bail on the ground of inordinate delay in trial. Petitioner stands on the same footing with the said co-accused. In view of the aforesaid fact and the period of detention suffered by the petitioner, we are of the opinion further detention of the accused/petitioner is not necessary.
4. Therefore, the accused/petitioner, namely **Lakhan Lal Shaw**, be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten thousand only), 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-cum-Additional Sessions Judge, 3rd Court, Asansol, Paschim Bardhaman subject to condition that the said 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 or commit similar offences in future.

5. In the event he fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.
6. The application for bail, thus, stands allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)