

20.02.2024.
15.
Ct.No.28.
as
(Allowed)

C.R.M. (NDPS) 294 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.164 of 2021 arising out of Jalanngi P.S. Case No.220 of 2021 dated 09.08.2021 under Sections 20(b)(ii)(c)/29 of the NDPS Act.

In the matter of : **Raben Sarkar.**

.... Petitioner.

Mr. Jisan Iqubal Hossain.

...for the Petitioner.

Mr. Tanmoy Kr. Ghosh, Id. Sr. Govt. Adv.

...for the State.

1. Supplementary affidavit is placed on record.
2. Petitioner is in custody for more than two years. He prays for bail on the ground of delay.
3. Report is placed on record on behalf of the State.
4. We have considered the report disclosing status of the proceeding. All material witnesses have been examined. Only investigating officers are to be examined.
5. Under such circumstances, we are of the opinion further detention of the petitioner is not necessary and he may be enlarged on bail.
6. Accordingly, the petitioner viz., **Raben Sarkar** 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 3rd Court, under the N.D.P.S. Act, Berhampore, Murshidabad 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.

7. 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.

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

(Gaurang Kanth,J.)

(Joymalya Bagchi, J.)