

06.03.2024.
09.
Ct.No.28.
as
(Allowed)

C.R.M. (NDPS) 438 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 Jalangi 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 : **Nanda Kumar Sarkar.**

.... Petitioner.

Mr. Jisan Iqubal Hossain.

...for the Petitioner.

Mr. Angshuman Chakraborty.

...for the State.

1. Heard the learned Advocates for the parties.
2. We have considered the materials on record. Petitioner is in custody for more than two years. There is delay in trial. On the score of delay, co-accused viz., Raben Sarkar has been enlarged on bail.
3. Under such circumstances, petitioner is entitled to similar relief.
4. Accordingly, the petitioner viz., **Nanda Kumar 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.

5. 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.

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

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)