

01.03.2024.
Sr. No. 33.
Ct. No.28.
AB
(Allowed)

C.R.M. (NDPS) 410 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Shibpur P. S. Case No.212 of 2019 dated 15.06.2019 under Sections 20(b)(ii)(c)/ 29 of the NDPS Act.

In the matter of : **Chotu Khan @ Md. Mustakin**

.... Petitioner.

Mr. Sabir Ahmed,
Mr. Bhaskar Hutait

...for the Petitioner.

Mr. Sanjib Kumar Dan

...for the State.

1. Petitioner is in custody for almost five years. Co-accused is on bail on the ground of delay in trial. Accordingly, he is entitled to similar relief.
2. Accordingly, the petitioner viz., **Chotu Khan @ Md. Mustakin** 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, Howrah, 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.
3. 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.

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

(Gaurang Kanth,J.)

(Joymalya Bagchi, J.)