

12.03.2024

5

sdas

Allowed

C.R.M. (NDPS) No. 468 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with STF Police Station Case No. 03 of 2019 dated 21.01.2019 under Sections 21(c)/29 of the N.D.P.S. Act.

And

In Re : Md. Monu petitioner

Mr. Achin Jana
Mr. Suman Chakraborty
Mr. Prosenjit Ghosh
Ms. Nazia Hena
Ms. Gargi Dhang

.....for the petitioner

Mr. Sujan Chatterjee

.....for the State

1. Heard the learned Counsels for the parties.

2. We have considered the materials on record.

Petitioner is in custody for more than five years. There is inordinate delay in trial. Co-accused has been enlarged on bail. Petitioner stands on the same footing with the co-accused who are on bail. Accordingly, we are inclined to grant bail to the petitioner.

3. Accordingly, we direct that the petitioner 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 NDPS Act-cum-learned City Sessions Court, 1st Bench, Calcutta, on further condition that petitioner while on bail shall remain within the Municipal limits of Kolkata and shall provide

address where he shall presently reside to the investigating officer and learned court below and shall report to the Officer-in-Charge, STF Police Station once in a week until further orders. 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.

4. 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.

5. The application for bail is, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)