

12.03.2024

17

Saswata

Allowed

C.R.M. (NDPS) No. 480 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Dolahat Police Station Case No. 180 of 2022 dated 25.04.2022 under Sections 219(c)/29 of the N.D.P.S. Act.

And

In Re : Saidul Khan petitioner

Mr. Joy Chakraborty

Mr. Sandip Dinda

Mr. Ranjit Malakar

.....for the petitioner

Mr. Bibaswan Bhattacharya

.....for the State

1. Petitioner is in custody for more than one year
2. There is slow progress in trial.
3. Co-accused Ramjan Gazi has been enlarged on bail.
Petitioner prays for bail on same parity.
4. We have considered the materials on record.
Petitioner is in custody for a considerable period of time. Co-accused Ramjan Gazi has been enlarged on bail.
5. Under such circumstances, we are inclined to extend same privilege to the petitioner.
6. Accordingly, we direct that the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- each 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 Additional District and Sessions Judge, 12th Court at Alipore. 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.

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 their bail in accordance with law without further reference to this Court.

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

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)