

19.03.2024.
22.
Ct.No.28.
as
(Allowed)

C.R.M. (NDPS) 523 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Jamuria P. S. Case No.189 of 2019 dated 20.05.2019 under Section 20(b)(ii)(c) of the NDPS Act.

In the matter of : **Biswajit Roy & Anr.**

.... Petitioners.

Mr. Joy Chakraborty,
Mr. Sandip Dinda.

...for the Petitioners.

Mr. Saryati Datta.

...for the State.

1. Heard the learned Advocates for the parties.
2. We have considered the materials on record. Petitioners are in custody for more than four years and nine months. There is slow progress in trial. On such score, co-accused viz., Mithun Biswas has been enlarged on bail.
3. Under such circumstances, petitioners are entitled to similar relief.
4. Accordingly, the petitioners viz., **Biswajit Roy and Sunil Dey** 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 the NDPS Act-cum Additional District & Sessions Judge, 3rd Court, Asansol, Paschim Bardhaman subject to condition that they 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.

5. In the event the petitioners fail 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.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)