

C. R. M. (NDPS) 533 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 12.03.2024 in connection with Liluah Police Station Case No.230 of 2018 dated 17.07.2018 under Sections 20(b)(ii)(c)/29 of the NDPS Act.

And

In Re: **Aktema Bibi @ Aktima Bibi**

... .. Petitioner

Md. Kutubuddin

... .. for the petitioner

Mr. Ashok Das

... .. for the State

1. It is submitted on behalf of the petitioner that she is in custody for about five years and eight months. It is further submitted there is inordinate delay in trial. Co-accused has been enlarged on bail. Accordingly, she prays for bail.
2. Learned Advocate for the State opposes the prayer for bail.
3. We have considered the materials on record. Petitioner is in custody for a protracted period of time. On the score of delay in trial, co-accused has been enlarged on bail. Petitioner stands on the same footing with the said co-accused. Hence, we are inclined to extend the same privilege to the petitioner also.
4. Therefore, the accused/petitioner, namely **Aktema Bibi @ Aktima Bibi**, be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten thousand only), 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, 3rd Court, Howrah subject to condition that the said 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 or commit similar offences in future.

5. In the event she fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel her bail automatically without reference to this court.
6. The application for bail, thus, stands allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)