

C. R. M. (NDPS) 549 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 14.03.2024 in connection with Raiganj Police Station Case No.411 of 2020 dated 29.05.2020 under Sections 21(c)/22(c)/27/29 of the NDPS Act. (NDPS Case No.15 of 2020)

And

In Re: **Sk. Dalim**

... .. Petitioner

Mr. Jayanta Narayan Chatterjee
Ms. Jayshree Patra

... .. for the petitioner

Mr. Anindya Sundar Chatterjee

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for more than three years. It is further submitted there is slow progress in trial. Co-accused has been enlarged on bail. Accordingly, he renews his prayer for bail.
2. Learned Advocate for the State opposes the prayer for bail and submits trial is in progress. Two witnesses have been examined.
3. We have considered the materials on record. Narcotics i.e. 868 gms. of *brown sugar* i.e. *Heroin* was recovered from a toto. Bail prayer of co-accused had been allowed in March, 2024. Petitioner stands on the same footing with the said co-accused. Accordingly, we are inclined to extend the same privilege to the petitioner also.
4. Therefore, the accused/petitioner, namely **Sk. Dalim**, 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, Raiganj, Uttar Dinajpur 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 he fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.
6. The application for bail, thus, stands allowed.

(Partha Sarathi Sen, J.)

(Joymalya Bagchi, J.)