

23.04.2024
Sl. No.7
akd
[ALLOWED]

C. R. M. (NDPS) 689 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 09.04.2024 in connection with Dalkhola Police Station Case No.12 of 2022 dated 08.01.2022 under Sections 21(c)/29 of the NDPS Act. (NDPS Case No. 01 of 2022)

And

In Re: **Saroj Kumar**

... .. Petitioner

Mr. Pronojit Roy

... .. for the petitioner

Mr. Kaushik Kundu

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for about two years and three months. It is further submitted there is inordinate delay in trial. Co-accused viz. Sunil Kumar Basak has been enlarged on bail. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the prayer for bail.
3. We have considered the materials on record. On the score of delay in trial, co-accused viz. Sunil Kumar Basak has been enlarged on bail. Hence, we are inclined to extend the same privilege to the petitioner also.
4. Therefore, the accused/petitioner, namely **Saroj Kumar**, 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.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)