

19.04.2024.
14.
Ct.No.28.
as
(Allowed)

C.R.M. (NDPS) 684 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.43 of 2023 arising out of Kaliachak P.S. Case No.346 of 2023 dated 21.03.2023 under Section 21(C)/29 of the NDPS Act.

In the matter of : **Chandi Mandal.**

.... Petitioner.

Mr. Kalidas Saha,
Ms. Mandira Mandal,
Ms. Khushi Mollick.

...for the Petitioner.

Mr. Rudradipta Nandy, Id. A.P.P.,
Mr. Soumadip Saha.

...for the State.

1. Heard the learned Advocates for the parties.
2. We have considered the materials on record. No narcotics was recovered from petitioner. Co-accused from whom narcotics was recovered, has been enlarged on bail on the ground of delay in trial. Petitioner was in custody in another case and it cannot be said that he contributed to the delay.
3. Under such circumstances, we are of the opinion petitioner is entitled to be released on bail.
4. Accordingly, the petitioner viz., **Chandi Mandal** shall be released on bail upon furnishing a bond of Rs.10,000/- 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, Malda subject to condition that he 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 petitioner fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel his 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.)