

01.05.2024
Sl. No.26
akd
[ALLOWED]

C. R. M. (NDPS) 747 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 24.04.2024 in connection with STF Kolkata Police Station Case No.40 of 2019 dated 07.11.2019 under Sections 22(c)/29 of the NDPS Act.

And

In Re: ***Safikul Molla @ Serajul Sk.***

... .. Petitioner

Sk. Toslim Ali

... .. for the petitioner

Mr. Madhusudan Sur .. Id. Addl. Public Prosecutor

Mrs. Sujata Das

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for more than four years. It is further submitted there is inordinate delay in trial. Co-accused has been enlarged on bail. Accordingly, he prays for bail.
2. Learned Additional Public Prosecutor opposes the prayer for bail.
3. We have considered the materials on record. 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 ***Safikul Molla @ Serajul Sk.***, 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 Chief Metropolitan Magistrate, Calcutta 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.)