

10.05.2024
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allowed

CRM(NDPS) No. 795 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kaliachak Police Station Case No. 314 of 2020 dated 19.04.2020 under Sections 21(c)/29 of the NDPS Act.

And
In Re : Pankaj Dey petitioner

Mr. Amlan Jyoti Sengupta
....for the petitioner

Ms. Amita Gaur
Ms. Sima Biswas
.... for the State

1. Heard the learned Counsels for the parties.

2. We have considered the materials on record. Petitioner is in custody for more than four years. There is slow progress in trial. Co-accused Minnatullah was enlarged on bail. Under such circumstances, we are inclined to extend the similar relief to the petitioner also.

3. Accordingly, we direct that the petitioner 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 NDPS Act-cum-learned Additional District Judge, 3rd court, Malda, subject to condition that 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.

4. In the event the petitioner fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

5. The application for bail is, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)