

48. 14.06.2024
Court
No.28 (Tanmoy)

Allowed

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (NDPS) 924 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973, in connection with NDPS Case No. **153 of 2021** arising out of **Domkal Police Station Case No. 440 of 2021**, dated **25.07.2021** under Sections **21(c)/29** of the NDPS Act, 1985.

And

In the matter of: - **Hedu Mondal**

...petitioner.

Mr. Arnab Chatterjee, Adv.,
Mr. Anisur Rahaman, Adv.

...for the petitioner.

Mr. Saryati Datta, Adv.,
Mr. Karan Bapuli, Adv.

...for the State.

The petitioner is one of the two accused persons. The charge is under the Narcotic Drugs and Psychotropic Substances Act, 1985.

The petitioner says that the co-accused person, Pintu Ali, has been granted bail by the Hon'ble Supreme Court by order dated May 17, 2024, on the ground of inordinate delay in the progress of the trial. The petitioner, like Pintu Ali, is in custody for two years and ten months.

Learned Advocate for the State, although opposes the prayer for bail formally, fairly admits that the petitioner stands on the same footing as Pintu Ali.

Hence, we are inclined to allow the petitioner's application for bail.

Accordingly, we direct that the petitioner, namely, **Hedu Mondal**, shall be released on bail upon furnishing a bond of Rs.25,000/- (Twenty Five Thousand) with two registered sureties of like amount each, one of whom must be local, to the satisfaction of the learned Judge, Special Court (under NDPS Act) Berhampore, Murshidabad, subject to condition that the present petitioner shall appear before the learned Trial Court on each date of substantive hearing subject to the provisions of Section 317 of the Code of Criminal Procedure, 1973. The petitioner shall remain within the jurisdiction of the learned Trial Court till conclusion of trial unless such conditions have been relaxed by the learned Trial Court.

In the event the petitioner fails to adhere to any of the conditions stipulated above without any justifiable cause, the learned Trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this Court.

The application for bail being CRM (NDPS) 924 of 2024 is accordingly disposed of.

Criminal Section is directed to supply urgent photostat certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)