

38. 06.08.2024
Court
No.6 (Tanmoy)

Allowed

CRM (NDPS) 1158 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973/ Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with **Kaliachak** Police Station Case No. **566/2021**, dated **29.5.2021** under Sections **21(c)/29** of the NDPS Act, 1985 read with Sections **18(b)/27** of the Drugs and Cosmetics Act. Charge-sheet under Sections **21(c)/25/29** of the NDPS Act, 1985 read with Sections **18(b)/27** of the Drugs and Cosmetics Act.

And

In the matter of: - **Raisuddin @ Rayesuddin Mia**

...petitioner.

Mr. Soumik Ganguly
Mr. Tapodip Gupta
Mr. Debangshu Bandhu

...for the petitioner.

Mr. Rana Mukherjee, APP
Ms. Pritha Paul

...for the State.

1. Heard learned counsel for the parties.
2. Petitioner is in custody for two years and two months. One witness has been examined in part out of 14 witnesses. There is inordinate delay in trial, which entitles the petitioner to bail.
3. Under such circumstances, we are inclined to enlarge the petitioner on bail.
4. Accordingly, we direct the petitioner, namely, **Raisuddin @ Rayesuddin Mia** 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 3rd Court under NDPS Act, Malda, subject to condition that the petitioner shall appear before the trial

court on each and every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.

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 the his bail without any further reference to this Court.
6. The application for bail is, thus, allowed and disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)