

05.8.2024
Ct. No. 6
SL No. 43
SB

C.R.M. (NDPS) 1221 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Hastings** Police Station Case No. 144 of 2022 dated **15.11.2022** under Sections 20(b)(ii)(c)/29 of the N.D.P.S. Act.

And

In the matter of: Manoj Show @ Manoj Shaw

Mr. Joy Chakraborty
Mr. Sandip Dinda
Mr. Ranjit Malakar ... for the petitioner

Mr. Arindam Sen
Md. Sayeed Khanfor the State

1. Heard the learned lawyers for both the parties.
2. Petitioner is in custody for one year and nine months.
3. We have considered the materials on record. On earlier schedules prosecution has failed to bring witnesses to the box. This shows laxity on the part of the prosecution to conduct trial.
4. Under such circumstances, we are of the view petitioner has been able to make out a case for bail on the ground of inordinate delay in trial. Hence, we are inclined to grant bail to the petitioner.
5. Accordingly, 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, Bench – I, NDPS Act, City Sessions Court, Calcutta subject to the 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.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)