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19-08-2024
(ct. no.28)
KOLE
Allowed

CRM (NDPS) 1228 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Raiganj Police Station** Case No. **513 of 2021** dated **28.06.2021** under Sections **21(b)/22(b)/27/29** of the NDPS Act.

- A n d -

In the matter of : Raja Majumder

.... Petitioner.

Mrs. Jiya Bose,

... For the Petitioner.

Mr. Anishek Sinha,
Mr. Debabrata Monal,

... For the State.

Order dictated by Arijit Banerjee, J.:

1. The petitioner says that he is in custody for 11 months. Beyond charge sheet and supplementary charge sheet being filed nothing has happened. There was no recovery from this petitioner. 20 out of 22 accused persons have been enlarged on bail/anticipatory bail.
2. Learned Advocate for the State while opposing the prayer for bail says that many of the accused persons who are on bail have failed to appear before the learned Trial Court thereby delaying the trial. There is sufficient incriminating material against all the accused persons including this petitioner. This petitioner was absconding for two years and three months.
3. We have considered the facts and circumstances of the case. 20 out of 22 accused persons are out on bail/anticipatory bail. This petitioner does not stand on a worse footing than those persons. He is already in custody for 11 months. Charge sheet has been submitted upon completion of investigation. We are of the

view that further custodial detention of the petitioner is not necessary.

4. Accordingly, we direct that the petitioner, namely, **Raja Majumder**, shall be released on bail upon furnishing a bond of Rs. 25,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the Learned Special Judge under the NDPS Act, Raiganj, Uttar Dinajpur and on further conditions that he shall not leave the jurisdiction of the District of Uttar Dinajpur and shall report to the Officer-in-Charge of the concerned police station once in a fortnight until further orders. The petitioner shall appear before the trial Court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

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

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

7. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(**Apurba Sinha Ray, J.)**

(**Arijit Banerjee, J.)**