

27.
30-08-2024
(ct. no.28)
debajyoti
(allowed)

CRM (NDPS) 1251 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973/under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Raninagar Police Station Case No.255 of 2022 dated 13-07-2022 under Section 21(c) of the Narcotic Drugs and Psychotropic Substances Act.

- A n d -

In the matter of : Bikram Mondal @ Mandal

.... Petitioner.

Ms. Shabana Hasin,
Ms. Samima Akter,
Ms. Neha Roy

... For the Petitioner.

Mr. Subhamoy Bhattacharya,
Ms. Pallavi Priyadarshi

... For the State.

Dictated by Arijit Banerjee, J.

The petitioner is in custody for more than two years. Witness action has not begun. There are ten charge sheet named witnesses. He prays for bail on the ground of delay in progress of trial.

While opposing the prayer for bail, learned advocate for the State says that there is sufficient incriminating evidence against the petitioner. 100 bottles of *Phensedyl* Syrup was recovered from his possession. All efforts will be made to bring the trial to an early conclusion.

Two years is a long period of time. There has been no progress in the trial at all. Keeping in mind the paramount importance of the fundamental right of a citizen to personal liberty and speedy trial, solely on the ground of delay, we are inclined to grant bail to the petitioner.

Accordingly, we direct that the petitioner, namely, **Bikram Mondal @ Mandal**, shall be released on bail upon furnishing a bond of Rs.25,000/- (Rupees Twenty Five Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of learned Additional District and Sessions Judge, 2nd Court-cum-Judge, Special Court under NDPS Act, Berhampore, Murshidabad. The petitioner shall appear before the trial Court on every date of hearing and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever. The petitioner shall remain within the jurisdiction of the local Police Station and shall report to the Inspector-in-Charge/Officer-in-Charge of said police station once in a week, until further orders.

In the event the petitioner fails to comply with any of the conditions stipulated above, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail being CRM (NDPS) 1251 of 2024 is, thus, **allowed**.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

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

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)