

11.9.2024
Ct. No. 6
SL No. 37
SB

C.R.M. (NDPS) 1377 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure as amended under Section 483 of the B.N.S.S. Act 2023 in connection with **English Bazar** P.S. Case No. **1184 of 2019** dated 26.11.2019 under Sections 8(c) / 22 (c) of the N.D.P.S. Act.

And

In the matter of: Sk. Md. Abdul Gani@Sk. Bablu

Mr. Mazahar Hossain Chowdhury ... for the petitioner

Ms. Anasuya Sinha

Ms. Mousumi Sarkarfor the State

1. Heard the learned advocates for the parties.
2. Petitioner is in custody for four years and nine months. There is delay in trial. Co-accused on bail. Petitioner prays for bail on parity.
3. Learned counsel appearing for the State opposes the prayer for bail.
4. We have considered the materials on record on the ground of inordinate delay in trial. Co-accused has been enlarged on bail. Petitioner is in custody for more than four years and is entitled to similar relief.
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, Special Court, Additional Sessions Judge, 3rd Court, Malda 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.)