

11.09.2024
Sr. No. 44
Ct. No. 6.
AB
(Allowed)

C.R.M. (NDPS) 1428 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 Kaliachak Police Station Case No.1313 of 2021 Dated 25.11.2021 under Section 21C/22C/27A/28 29 of the NDPS Act

In the matter of : **Ruhul Amin Mirza**

....Petitioner.

Mr. Amitava Karmakar
Mr. Arup Kr. Bhowmick For the Petitioner.

Mr. Saibal Bapuli,
Mr. Sujan Chatterjee For the State.

1. Heard learned Advocates for the parties.
2. Petitioner is in custody for two years and ten months.
Co-accused has been enlarged on bail on the ground of delay in trial. Out of 20 witnesses, only one witness has been examined in part till date.
3. In view of the aforesaid facts showing tardy progress in trial, we are inclined to enlarge the petitioner on bail.
4. Accordingly, the petitioner, namely, **Ruhul Amin Mirza** 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 under the NDPS Act at Malda, subject to condition that he shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in

any manner whatsoever or commit similar offences in future.

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 his bail in accordance with law without further reference to this Court.
6. This application for bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)