

04. 20.09.2024
Court
No.238 (Tanmoy)

Allowed

CRM (NDPS) 1481 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973/ Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with **Uluberia** Police Station Case No. **225/2020**, dated **10.9.2020** under Sections **20(b)(ii)(C)** of the NDPS Act, 1985.

And

In the matter of: - **Somnath Sadhu @ Bikki**

...petitioner.

Mr. Soumya Basu Roy Chowdhuri

...for the petitioner.

Mr. Debashish Roy, Ld. PP

Mr. Jaydeep Ray

Mr. Karan Bapuli

...for the State.

1. Heard learned counsel for the parties.
2. Petitioner is in custody for more than four years. There is inordinate delay in trial. He prays for bail.
3. We have considered the materials on record. Prosecution has examined only six out of twelve witnesses. There is no possibility of the trial concluding in near future.
4. Under such circumstances, we are inclined to enlarge the petitioner on bail on the ground of delay in trial.
5. Accordingly, we direct the petitioner, namely, **Somnath Sadhu @ Bikki** shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional District & Sessions Judge, 3rd Court, (Special Judge under NDPS Act), Howrah, subject to 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 the 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.)