

13.12.2024
Pritam/ct 28
sl no. 10.

C.R.M. (NDPS) 1843 of 2024

In Re : An application for bail under section 483 of the BNSS 2023 in connection with Sankrail PS case No.331 of 2023 dated 06.05.2023 under sections 20(b)(ii)(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

Allowed

In Re : Akhtar Ali @ Jackey petitioner.

Mr. Sk. Toslim Ali

..... for the petitioner.

Mr. Md. Iqbal Kabir,
Mr. Rajashree Tah

..... for the State.

1. Petitioner is in custody for one year and seven months.
2. There is delay in trial.
3. He prays for bail.
4. Learned lawyer for the State submits the petitioner was transporting 182.980 kgs. of ganja in a truck.
5. We have considered the materials on record.
6. Though quantity of narcotics recovered is substantial, petitioner has suffered incarceration for a considerable period.
7. There is little progress in trial and no witness has been examined till date.
8. Petitioner has made out a case on the ground of delay in trial.
9. Bail prayer on the ground of delay and restriction under Section 37 of the NDPS Act.
10. Hence, we are inclined to grant bail to the petitioner.
11. Accordingly, the petitioner 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 Additional District & Sessions Judge, 3rd Court (NDPS Act), Howrah

on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

12. In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

13. The application being CRM (NDPS) 1843 of 2024 is disposed of.

(Apurba Sinha Ray, J.)

(Joymalya Bagchi, J.)