

C.R.M. (NDPS) 1931 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure as amended /under Section 483 of the Bharatiya Nagarik Surksha Sanhita, 2023, in connection with **Islampur Police Station Case No. 291 of 2021** dated **23.09.2021** under **Sections 21(C)** of the Narcotic Drugs and Psychotropic Substances Act.

And

In the matter of : **Jharu Mondal**.

Mr. Arnab Chatterjee,
Ms. Poulomi Bose, ...for the Petitioner

Ms. Saysree Biswas,
Mr. Raju Mondal, ...for the State.

1. We have heard learned counsel for the parties.
2. We have considered the material-on-record. Petitioner is in custody for over 3 years. Only 7 out of 13 witnesses have been examined. There is little possibility of trial concluding in near future.
3. Under such circumstances, petitioner is entitled to bail on the ground of delay.
4. Accordingly, we direct the petitioner namely, **Jharu Mondal** 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 NDPS Act), Berhampore, Murshidabad 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 or commit similar offences in future.
5. In the event petitioner fails to adhere to any of the conditions stipulated above 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. The application for bail is, thus, allowed and disposed of.

(Apurba Sinha Ray, J.)

(Joymalya Bagchi, J.)