

02.01.2024.
08.
Ct.No.28.
as
(Allowed)

C.R.M. (NDPS) 2067 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.07 of 2020 arising out of Asansol North P.S. Case No.221 of 2020 dated 15.09.2020 under Sections 20(b)(ii)/C/29 of the NDPS Act.

In the matter of : **Arbinda Yadav @ Arbinda Haribansh Yadav.**

.... Petitioner.

Mr. Avik Ghatak,
Mr. Fahad Imam.

...for the Petitioner.

Mr. Ashok Das.

...for the State.

1. Petitioner is in custody for three years and three months.

He submits co-accused are on bail. He renews his bail prayer.

2. Learned Advocate for State opposes the bail prayer.

3. We have considered the materials on record. Petitioner is in custody for more than three years. There is no possibility of trial concluding in the near future. Co-accused have been enlarged on bail.

4. Under such circumstances, we are inclined to extend the same privilege to the petitioner also.

5. Accordingly, the petitioner viz., **Arbinda Yadav @ Arbinda Haribansh Yadav** 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-cum-Additional Sessions Judge, 3rd Court, Asansol 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.

6. In the event the 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.

7. This application for bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)