

21.05.2024

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Allowed

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri

C.R.M. (NDPS) No. 228 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with New Jalpaiguri Police Station Case No. 101 of 2023 dated 10.02.2023 under Sections 21(c)/22(c)/23(c)/29 of the NDPS Act.

And

In Re : Pratap Thapa petitioner

Mr. Supritam Nag
Ms. Trishna Roy

.... for the petitioner

Mr. Aditi Shankar Chakraborty, learned APP
Mr. Ujjwal Luksom
Mr. Subhasish Misra

.... for the State

1. Heard the learned Counsels for the parties.
2. We have considered the materials on record. Petitioner is in custody for 465 days. There is delay in trial. Co-accused has been enlarged on bail. Under such circumstances, we are inclined to extend the same privilege to the petitioner.
3. Accordingly, we direct that the petitioner 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-cum-learned Additional Sessions Judge, 1st court, Jalpaiguri, subject to condition that petitioner 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.

4. 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.

5. The application for bail is, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)