

Special Case no. 04 of 2018
(Darjeeling Sadar P.S. Case no.70 of 2016 dated 09.4.2016 u/s 21(b)/22(b) of the NDPS
Act)

Order No.36 dated 26/05/2023

The accused person namely Abinash Chettri is produced from the correctional home. The learned Advocate for the accused moves an application for bail.

Heard the respective learned Advocate for the accused person and the learned Additional P.P.

The learned Advocate for the accused person submits that the accused has been on bail. He had to go to another State in search of a job. The former Advocate did not inform him about the date of the case and he could not attend court. He is the sole bread earner of his family. His wife lives apart. His old parents find it difficult to maintain his child.

The learned Additional Public Prosecutor leaves the matter to the discretion of the court.

On perusal of the record it appears that the accused person has been on bail. During trial he did not turn up and warrant of arrest was issued against him. He has been brought under arrest and in custody since 28-3-2023. Eight witnesses are cited in the charge sheet. None of them has been examined so far. There is no chance of immediate completion of trial. In the circumstances, I am inclined to enlarge the accused person on interim bail.

Accordingly the accused person namely Abinash Chettri may find interim bail of Rs.2000/ with one surety of like amount to the satisfaction of the learned CJM, Darjeeling i.d to J/C till next date. If on interim bail to 07-08-2023 for appearance. To date also for evidence by the prosecution. Issue summons to witnesses as per requisition of the learned Public Prosecutor.

Let a copy of this order be sent to the learned CJM, Darjeeling for information and necessary action.

A copy of this order be also e-mailed to the Superintendent, District Correctional Home, Darjeeling for information.

Prepared by me in my laptop
as the Steno is on leave

Sd/-
Judge,
Special Court (under the NDPS Act),
Darjeeling

Sd/-
Judge,
Special Court (under the NDPS Act),
Darjeeling