

T. R Case No. 1 of 2023

Order No. 24 dated: 19.03.2025.

The case record is placed before this court today on the strength of a put up petition filed on behalf of the accused/petitioner namely Santosh Sahoo @ Santosh Saho along with a separate petition accompanied with a server copy of a solemn order dated 17-03-2025 passed by the Hon'ble Supreme Court in Special Leave to Appeal (Crl.) No(s). 1737/2025 [Arising out of impugned final judgment and order dated 02-12-2024 in CRM (NDPS) No. 1404/2024 passed by the Hon'ble High Court at Calcutta] along with an affidavit by the Ld. Counsel namely Sk. Afjal Hossien, affirming the genuinity of the said order. It is prayed on behalf of accused Santosh Sahoo @ Santosh Saho to allow the accused person to furnish the bond as directed by the Hon'ble Supreme Court.

The Ld. P.P. Incharge is present.

Perused the application.

Heard all sides.

It appears from the solemn order dated 17-03-2025 of the Hon'ble Supreme Court of India, that the Hon'ble Supreme Court of India has been pleased to allow the bail prayer of the accused/petitioner in the following terms:

“The petitioner is an accused in a case initiated by Narcotics Control Bureau, Kolkata Unit on 09.01.2023 being Crime No.03/NCB/KOL/2023 for the offences punishable under Sections 20(b)(ii)(c)/29/35/54 of the Narcotic Drugs and Psychotropic Substances Act. The allegation is that 88 Kgs of Cannabis (contraband article) was recovered from the four alleged accused persons including the petitioner. The bail application of the petitioner was dismissed by the High Court. He has already undergone about 1 year & 9 months in jail. Being aggrieved, petitioner approached this Court and this court issued notice to the Union of India on 03.02.2025.

Heard learned counsel for the petitioner. As per office report dated 06.03.2025, service of notice is complete on the Union of India. In spite of this, none

appears for the Union of India. However, till now only one witness is partially examined by the Trial Court and the trial has been delayed.

Under these circumstances, we are of the opinion that a case of bail is made out for the petitioner.

Accordingly, the petitioner is directed to be released on bail forthwith on the usual terms and conditions to be decided by the concerned Court.”

Ld. Counsel for prosecution submits about mentioning condition. Ld. Defence Counsel submits that the Hon’ble Supreme Court has mentioned about usual terms and conditions.

Upon perusal of the solemn order of the Hon’ble Apex Court and on hearing both sides it appears that the Hon’ble Apex Court has been pleased to direct this Court to decide the usual terms and conditions for release of the accused/petitioner on bail.

Accordingly, this Court is of the considered view that with respectful reference to the order of the Hon’ble Supreme Court of India, concerned accused person Santosh Sahoo @ Santosh Saho may be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties, out of which one should be registered surety of Rs.5000/- and remaining one should be of Rs.5000/- of local/cash surety, to the satisfaction of Ld. CJM, Howrah subject to condition that the accused shall not intimidate witnesses or tamper with evidence in any manner whatsoever or commit similar offence in future.

Thus, let a copy of this order be sent to the Ld. Chief Judicial Magistrate, Howrah for his information with request to do the needful.

To date.

Dictated & Corrected by me

Special Judge,
Incharge

Judge, Special Court under
N.D.P.S Act, Howrah
Incharge