

**HIGH COURT OF TRIPURA
AGARTALA**

BA 23/2019

PRESENT

For Petitioner(s)	:	Mr. J. Bhattacharjee, Advocate
For Respondent(s)	:	Mr. B. Choudhuri, PP

HON'BLE MR. JUSTICE ARINDAM LODH

Order

30/04/2019

Heard Mr. J. Bhattacharjee, learned counsel appearing for the petitioner as well as Mr. B. Choudhuri, learned PP appearing for the State-respondent.

This is an application filed under section 439 Cr.P.C. for granting bail to the accused in connection with Jatrapur PS case no. 2018/JTP/031 (renumbered as Special (NDPS) 07 of 2019) under sections 20(b)(ii)(C)/22(c)/25/29 of the NDPS Act.

Mr. J. Bhattacharjee, learned counsel has submitted that the petitioner has been in jail for more than 208 days and in this case charge sheet has also been filed. Mr. Bhattacharjee, further submits that the other accused persons who were arrested in this case were released on bail.

Per contra, Mr. Choudhury, learned Public Prosecutor has submitted that in view of section 37 of the NDPS Act, the petitioner should not be released on bail.

Having considered the submission of the learned counsel appearing for the parties, I am of the view that since all the accused persons, except the present petitioner were released on bail, there is no reason to detain the petitioner further in jail.

Mr. Bhattacharjee, learned counsel has fairly submitted that the accused petitioner shall appear and face the trial in terms of the direction of the learned Special Judge, the trial court.

Accordingly, the bail application is allowed. The petitioner shall be released on bail on furnishing a bond of Rs. 50,000/- with one surety of the like amount to the satisfaction of the learned Special Judge, Sonamura, Sepahijala subject to condition that the petitioner shall make himself available on each and every dates, as and when directed by the concerned Special Judge, Sonamura, Sepahijala.

With this observation and direction, the instant application stands disposed of.

JUDGE