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14-01-2022
(ct. no.1)
KOLE
Allowed

Circuit Bench of Calcutta High Court At Jalpaiguri
CRM 912 of 2021

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Bhaktinagar Police Station** Case No. **101 of 2019** dated **07.02.2019** under Sections **22(c)/23(c)** of the NDPS Act.

- A n d -

In the matter of : Monoj Kr. Singh @ Manoj Kumar Singh @ Manoj Singh

.... Petitioner.

Mr. J. K. Bhowmick,

... For the Petitioner.

Mr. A. S. Chakraborty, Ld. APP,
Mr. S. Ganguly,

... For the State.

The petitioner prays for bail on the ground of parity. He says that he and the other two accused persons were arrested from the same place. Charges are under the Narcotic Drugs and Psychotropic Substances Act, 1985. The other two co-accused persons applied for bail before the Hon'ble Apex Court of India. The Hon'ble Apex Court, taking into consideration that those two persons were in jail for more than 2 years and 5 months and there is no likelihood of completion of trial in near future enlarged those two persons on bail, without going into the questions of law involved in the matter. The present petitioner says that he stands exactly on the same footing as those two persons. This appears to be correct from the material in the case diary and learned Counsel for the State in his usual fairness also does not dispute the same.

Accordingly, we direct that the petitioner, namely, **Monoj Kr. Singh @ Manoj Kumar Singh @ Manoj Singh**, shall be released on bail upon furnishing a bond of Rs. 25,000/-, 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), Learned Additional Sessions Judge, 2nd Court, Jalpaiguri and on further conditions that he shall not leave the jurisdiction of the concerned police station and shall report to the Officer-in-Charge of the concerned police station once in a fortnight until further orders. The petitioner shall appear before the trial Court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this court.

The application for bail is, accordingly, allowed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(**Aniruddha Roy, J.**)

(**Arijit Banerjee, J.**)