

D/L. 62  
February 2, 2023  
MNS

**Calcutta High Court  
In The Circuit Bench at Jalpaiguri  
Appellate Side**

**CRM (NDPS) 39 of 2023**

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 03.01.2023 in connection with Jaigaon Police Station Case No. 204 of 2022 dated 21.08.2022 under Section 22(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of: Monoj Thapa @ Manoj Thapa

.... Petitioner

Mr. Pronojit Roy

... for the petitioner

Mr. Nilay Chakraborty,  
Mr. Namrata Das

... for the State

Learned counsel for the petitioner contends that two co-accused persons standing on equal footing as the petitioner have been enlarged on bail. That apart, no contraband article was recovered from the possession of the petitioner. The petitioner is already in custody for about 166 days.

Learned counsel for the State, while opposing the prayer for bail, submits that the quantity of contraband article recovered in the present case was huge. As such, learned counsel for the State seriously opposes the prayer for bail.

In any event, in view of the facts as indicated above, we are of the view that the petitioner has made out a sufficient case for grant of bail.

Accordingly, CRM (NDPS) 39 of 2023 is allowed, thereby granting bail to the petitioner on condition that the petitioner furnishes 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), at Jalpaiguri.

Since the charge-sheet has not yet been filed, the petitioner shall not leave the jurisdiction of the concerned police station and shall meet the Investigating Officer once in a week till the investigation is concluded.

The petitioner, further, shall not make any inducement, threat or promise to any person acquainted with the facts and circumstances of the case so as to dissuade such person from disclosing such facts to any police officer or the court and/or tamper with the evidence in any manner whatsoever.

**(Sabyasachi Bhattacharyya, J.)**

**(Rai Chattopadhyay, J.)**