

AD-32
Ct No.01
Jalpaiguri
07.02.2023
TN

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

CRM (NDPS) 53 of 2023

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 04.01.2023 in connection with Birpara Police Station Case No. 87 of 2020 dated 23.06.2020 under Section 21(c) of the NDPS Act.

And

In the matter of: Biki Tamang @ Bicky

.... petitioner

Mr. Partha Pratim Sarkar,
Mr. Biswajit Das

... for the petitioner

Mr. Saikat Chatterjee,
Mr. Chattu Roy

... for the State

Learned counsel for the petitioner submits that the petitioner is already in custody since June 23, 2020, that is, more than two-and-half years. That apart, the FSL report has not been submitted and the charges were framed only pursuant to the direction of a coordinate Bench of this court about a year ago.

Learned counsel for the State opposes the prayer for bail.

However, keeping in view the above mitigating circumstances, we are inclined to grant bail to the petitioner.

Accordingly, CRM (NDPS) 53 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), Jalpaiguri.

The petitioner shall not leave the territorial jurisdiction of the trial court during the entire period of trial and shall attend on each day of trial.

The petitioner 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 persons 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.)