

D/L. 54
February 7, 2023
MNS

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

CRM (NDPS) 66 of 2023

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 05.01.2023 in connection with N.D.P.S. Case No. 79 of 2021 arising out of Bhaktinagar Police Station Case No. 1164 of 2021 dated 05.09.2021 for the alleged offence punishable under Sections 21(b)/22(b)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 and subsequently Charge sheet has been submitted vide Charge Sheet No. 1181 of 2021 dated 31.10.2021 under Sections 21(b)/22(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of: Arjun Singh

.... Petitioner

Mr. Anirban Banerjee

... for the petitioner

Mr. Nilay Chakraborty,
Mr. Sourav Ganguly

... for the State.

Learned counsel for the petitioner submits that the petitioner is already in custody for about 521 days. That apart, although the charge-sheet was filed on November 10, 2021, the charges have not yet been framed.

Learned counsel appearing for the State contends that subsequent to the filing of the charge-sheet, the CFSL report was submitted along with supplementary charge-sheet on January 10, 2023. As such, the prayer for bail is contested.

Upon hearing learned counsel for the parties, we are convinced that in view of prolonged delay in filing the supplementary charge-sheet and CFSL report and the period of custody spent by the

petitioner behind the bars, we are inclined to grant bail to the petitioner.

Accordingly, CRM (NDPS) 66 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.

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

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 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.)