

D/L. 33
February 8, 2023
MNS

Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Side

CRM (NDPS) 71 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 New Jalpaiguri Police Station Case No. 470 of 2018 dated 02.07.2018 for the alleged offence punishable under Sections 20(b)(ii)C/23(c)/25 of the Narcotic Drugs and Psychotropic Substances Act, 1985 and subsequently charge-sheet submitted vide Charge Sheet No. 236 of 2019 dated 07.04.2019 for the alleged offence punishable under Sections 20(b)(ii)C/23(c)/25 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of: Bijoy Chowdhury and others

.... Petitioners

Mr. Jaydeep Kanta Bhowmik,
Mr. Sayantan Bhowmik

... for the petitioners

Mr. A. S. Chakraborty,
Mr. Biswarup Roy

... for the State.

Learned counsel for the petitioners contends that the petitioners have been in custody for about four years six months and seven days. Moreover, not a single witness has yet been examined in connection with the trial.

Learned counsel appearing for the State opposes the prayer for bail.

However, keeping in view the contentions of the petitioners, we find sufficient ground to grant bail to the petitioners.

Accordingly, CRM (NDPS) 71 of 2023 is allowed, thereby granting bail to the petitioners on condition that the petitioners furnish individual bonds of Rs.10,000/- each, 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 petitioners 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 petitioners 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.)