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***Calcutta High Court
In the Circuit Bench at Jalpaiguri***

CRM (NDPS) 176 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed on 02.02.2023 in connection with Kotowali Police Station Case No. 331 of 2022 dated 26.05.2022 under Sections 21(c) of the NDPS Act, 1985.

In the matter of : Samir Mandal

... petitioners

Mr. Sourav Ganguly,
Ms. Matan Chakraborty,
Ms. Aratrika Chanda

...for the petitioner

Mr. Saikat Chatterjee,
Mr. Chattu Roy

.....for the State.

Heard learned counsel appearing for the parties.

Learned counsel appearing for the petitioners contends that the petitioner is in custody for about nine months. It is also contended that the petitioner is suffering from serious illness.

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

However, keeping in view the serious ailment being suffered by the petitioner, we are inclined to grant bail to the petitioner.

Accordingly, CRM (NDPS) 176 of 2023 is allowed, thereby granting bail to the petitioner on condition that the petitioner shall furnish a bond of Rs. 10,000/-(Rupees Ten Thousand), 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 attend trial on each and every date unless otherwise certified by any medical practitioner to be incompetent to do so.

(Sabyasachi Bhattacharyya, J.)

(Rai Chattopadhyay, J.)