

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

11.04.2023
Court No.1
(D/L 24)
(allowed)

CRM (NDPS) 248 OF 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973 filed on 24.02.2023 in connection with Kotwali Police Station Case No.140 of 2020 dated 22.02.2020 under Sections 22(ii)(c)/25/29 of the NDPS Act, 1985 corresponding to NDPS Case No.13 of 2020.

And

In the matter of: **Kehar Singh**

... Petitioner.

Mr. Joydeep Kanta Bhowmik
Mr. Sayantan Bhowmik
Ms. Rikta Sarkar

... for the petitioner.

Mr. Aditi Shankar Chakraborty, APP
Mr. Biswarup Roy

... for the State.

Learned counsel appearing for the petitioner has prayed for bail of the present petitioner by relying upon an order granting bail by a coordinate Bench of this Court in CRM (NDPS) 242 of 2023.

On perusal of the said order and the materials on record, we find that the accused Kehar Singh stands on a same footing as that of accuseds Jitendra Kumar and another in CRM (NDPS) 242 of 2023.

The trial in this case has not commenced till date as it is in the stage of supply of copies. The present case is dated 22.02.2022.

Accordingly, we direct that the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the

learned CJM, Jalpaiguri, subject to the further conditions that the petitioner while on bail shall remain within the jurisdiction of district Jalpaiguri and shall report to the Officer-in-charge of Kotwali Police Station once in a week until further orders and shall appear before the trial Court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fail to appear before the trial Court without justifiable cause, the trial Court shall be at liberty to cancel his bail automatically without further reference to this Court.

The application for bail is, accordingly, allowed.

[SHAMPA DUTT (PAUL), J.]

(RAJARSHI BHARADWAJ, J.)