

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

03.04.2023
Court No.1
(D/L 9)
(allowed)

CRM (NDPS) 256 OF 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973 filed on 15.03.2023 in connection with Kotwali Police Station Case No.162 of 2022 dated 23.03.2022 under Sections 21(c)/22(c) of the NDPS Act corresponding to NDPS Case No.31 of 2022.

And

In the matter of: **Sushanta Roy**

... Petitioner.

Mr. Jaydeep Kanta Bhowmik
Mr. Sayantan Bhowmik

... for the petitioner.

Mr. Aditi Shankar Chakraborty,APP
Mr. Anirudha Biswas

... for the State.

On hearing the learned counsel for the petitioner and the prosecutor who has raised objection and on perusal of the materials in the case diary, it is submitted that the accused is in custody for more than one year and another co-accused is in custody and the third accused is absconding and warrant of arrest is pending.

Considering all these facts and the long period of detention, the pending warrant against the third accused person and on perusal of the nature of seized articles as seen from the seizure list, prayer for bail is allowed.

Accused Sushanta Roy shall be released on bail upon furnishing a bond of Rs.20,000/- with two sureties of 10,000/- each, one of

whom must be local to the satisfaction of the learned Chief Judicial Magistrate, Jalpaiguri on the following condition that the petitioner/accused will not leave the jurisdiction of this Court without prior permission of the Special Court and the petitioner will meet the local I.C. (Kotwali Police Station) once in a week until further orders.

The application for bail is, accordingly, allowed.

[SHAMPA DUTT (PAUL), J.]

(RAJARSHI BHARADWAJ, J.)