

13.06.2023
Court No.01
Item No. 45
Allowed
sg

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

CRM (NDPS) 314 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kharibari Police Station Case No. 340 of 2022 dated 22.10.2022 under Section 21(C)/22(C) of the NDPS Act.

And

In Re: **Mukul Roy**

Petitioner

Mr. Debasish Mukhopadhyay
Ms. Sriya Basu
Mr. Alok Das

For the Petitioner

Mr. Aditi Shankar Chakraborty
Mr. Subhasis Mishra

For the State

The learned Counsel for the petitioner submits that the present petitioner stands on the same footing as that of a co-accused person namely, Arun Roy, who has been grant bail on 5th June, 2023 in CRM (NDPS) 331 of 2023.

The learned Counsel for the State has also fairly submitted that the present petitioner is standing on the same footing as that of Mr. Arun Roy.

Under such circumstances, considering the fact that a co-accused namely, Arun Roy, was enlarged on bail in CRM (NDPS) 331 of 2023, we are of the view that on the parity of the same reasoning, the present petitioner is also entitled to bail.

We direct that the petitioner, namely, Mukul Roy shall be released on bail upon furnishing a 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 at

Siliguri under NDPS Act with a condition that the petitioner shall comply with the provision of Section 437(3) of the Code of Criminal Procedure and the petitioner shall appear before the learned trial court on each and every date fixed unless there is compelling reason for such non-appearance till the conclusion of trial and the petitioner shall not intimidate the witness in any manner whatsoever. In the event of non-compliance of any of the conditions, the bail shall stand automatically cancelled without any further reference to this Court.

The application for bail of the petitioner is allowed. CRM (NDPS) 314 of 2023 is accordingly, disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Raja Basu Chowdhury, J)

(Soumen Sen, J)