

09.06.2023

Ct.No. 1

Item No. 11

Sb / Saswata

Allowed

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

C.R.M. (NDPS) 383 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with NJP GRPPS case no. 01 of 2022 dated 06.01.2022 under Sections 21(c)/29 of the NDPS Act, 1985.

And

In the matter of : **Samsul Shaikh**

...petitioner

Ms. Kanika Sarkar

...For the petitioner

Mr. Aditi Shankar Chakraborty, Ld. APP

Mr. Aniruddha Biswas

....For the State

1. Learned Counsel for the petitioner submits that the prayer for interim bail of the petitioner may be considered having regard to the medical condition of his parents as stated in paragraph 7 of the application for bail. Learned Counsel for the petitioner has also produced the relevant medical papers in original to substantiate the claim.
2. Learned Counsel for the State opposes the prayer for bail. But considering the condition of his parents, it is submitted that under police custody, he may be permitted to visit his parents.
3. Considering the medical condition of the parents of the petitioner, as disclosed in the petitioner, we permit the

petitioner to visit his ailing parents on the following conditions:-

- i. The petitioner shall visit his parents twice in a week on dates not coinciding with the trial.
 - ii. The petitioner must be accompanied by the police during the visit for a duration of four hours.
 - iii. The petitioner shall not tamper with the evidence.
 - iv. It is made clear that during such interim bail, the petitioner shall not try to contact any witnesses during the visit.
 - v. This arrangement shall continue for a period of ten weeks from date.
4. The Jail Authorities shall coordinate with the police authorities in implementing this order.
 5. In view of the fact that trial has commenced we request the Learned Trial Judge to expedite the trial.
 6. The petitioner shall also be entitled to seek similar relief before the Trial Court after a period of ten weeks and the Learned Trial Court may consider such prayer after being satisfied with the medical condition of the parents of the petitioner on suitable terms and conditions.

7. CRM (NDPS) 383 of 2023 is, accordingly, **disposed of**.
8. 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.)