

09.06.2023

Ct.No. 1

Item No. 23

Sb / Saswata

Allowed

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

C.R.M. (NDPS) 395 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with Phansidewa PS case no. 142 of 2018 dated 05.06.2018 under Section 20(b(ii)(c) of the NDPS Act, 1985.

And

In the matter of : **Birendra Nath Singh**

...petitioner

Ms. Rima Sarkar

Ms. Sidhi Sethia

...For the petitioner

Mr. Abhijit Sarkar

Mr. Airuddha Biswas

....For the State

1. Learned Counsel for the petitioner submits that the petitioner in the instant case is similarly placed as that of Rajesh Kumar who was granted bail in CRM (NDPS) 279 of 2023 decided on 5th June 2023.
2. Learned Counsel for the State admits that the present petitioner is similarly placed as that of Rajesh Kumar.
3. Under such circumstances, we **allow** the application for bail of the petitioner on the following conditions:-
 - i. We direct the petitioner to be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of like amount each,

one of whom must be local to the satisfaction of Learned Judge, Special Court under NDPS Act, at Siliguri.

- ii. The petitioner shall attend each and every date of trial.
- iii. The petitioner shall not leave the jurisdiction of the jurisdictional Court without prior permission of the Court.
- iv. The petitioner shall not intimidate the witnesses and tamper with the evidence in any manner whatsoever.
- v. In the event of non-compliance of any of the conditions enshrined above, the bail shall stand automatically cancelled without further reference to this Court.

4. CRM (NDPS) 395 of 2023 is, accordingly, **disposed of**.

5. 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.)

