

JPD-53
Ct No.01
22.09.2023
TN

Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Side

CRM (NDPS) 576 of 2023

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 10.08.2023 in connection with Matigara Police Station Case No. 1005 of 2021 dated 11.09.2021 under Section 20(b)(ii)(c) of the NDPS Act.

And

In the matter of: Dipankar Das

.... petitioner

Mr. Swarup Das,
Mr. Satyajit Paul

... for the petitioner

Mr. Aditi Shankar Chakraborty,
Mr. Aniruddha Biswas

... for the State

1. Learned counsel for the petitioner submits that this is a renewal of prayer for bail and the last rejection was in the month of February this year. It is argued that the petitioner is in custody for 740 days and despite the charge-sheet having been filed, not a single witness has yet been examined.
2. Learned counsel for the State opposes the prayer for bail.
3. Keeping in view the long period of incarceration and the fact that the trial has not yet commenced, we are inclined to grant bail to the petitioner.
4. Accordingly, CRM (NDPS) 576 of 2023 is allowed, thereby granting bail to the petitioner on condition that the petitioner shall furnish 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 (NDPS Act), Siliguri.

- 5.** The petitioner shall not leave the territorial jurisdiction of the trial court during the entire period of trial and shall attend each and every date of trial.
- 6.** Further, the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts and circumstances of the case so as to dissuade such person from disclosing such facts to any police officer or the court and/or tamper with the evidence in any manner whatsoever.

(Sabyasachi Bhattacharyya, J.)

(Uday Kumar, J.)