

AD-18
Ct No.01
Jalpaiguri
13.09.2023
B.Pal

**Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Side**

CRM (NDPS) 614 of 2023

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 16.08.2023 in connection with Jaigaon Police Station Case No. 262 of 2020 dated 07.11.2020 under Section 17(C) of the NDPS Act, 1985.

And

In the matter of: **MONOJ BARMAN @ MONAJ BARMAN AND ANR**

Mr. Arnab Saha,

... for the petitioners

Mr. Aditi Shankar Chakraborty,
Mr. Biswarup Roy

... for the State

1. The petitioners are in custody for more than three years and one of the co-accused persons has already been granted bail. However, the learned counsel for the State vehemently opposes the prayer for bail.
2. Keeping in view the period of custody and the fact that one of the co-accused persons has already been granted bail, we are of the opinion that the petitioners are entitled to grant of similar relief, particularly in view of the long period of incarceration.
3. Accordingly, CRM (NDPS) 614 of 2023 is allowed, thereby granting bail to the petitioners on condition that the

petitioners shall furnish bond of Rs.10,000/- each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Special Court (NDPS Act) at Jalpaiguri. The sureties may be common in respect of both the petitioners.

4. The petitioners 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.
5. Further, the petitioners 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.)