

JPD-32
Ct No.01
13.09.2023
TN

Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Side

CRM (NDPS) 671 of 2023

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 22.08.2023 in connection with Siliguri Police Station Case No. 1227 of 2021 dated 18.10.2021 under Sections 21(c)/22(c) of the NDPS Act.

And

In the matter of: Jimi Gowala @ Jhimi Gowala

.... petitioner

Mr. Joydeep Kanta Bhowmik,
Ms. Rupa Basu

... for the petitioner

Mr. Sourav Ganguly,
Mr. Kallol Nag

... for the State

1. Even without going into the other aspects of the matter, the petitioner is in custody for about 704 days and out of the 14 total witnesses, only 1 has been examined in the trial.
2. Although learned counsel for the State vehemently opposes the prayer for bail, in view of the long period of incarceration and the inchoate stage of trial, we are inclined to grant bail to the petitioner.
3. Accordingly, CRM (NDPS) 671 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 (NDPS Act), 2nd Special Court at Siliguri.

4. 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.
5. 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.)