

AD-12
Ct No.01
Jalpaiguri
18.09.2023
B.Pal

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

CRM (NDPS) 673 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 Kotwali Police Station Case No. 525 of 2022 under Sections 20(b)(ii)(c) of the NDPS Act.

And

In the matter of: **JITENDRA OJHA**

...Petitioner

Mr. Supritam Nag,

... for the petitioner

Mr. Aditi Shankar Chakraborty,
Mr. Kallol Nag

... for the State

1. Learned counsel for the petitioner submits that the petitioner is in custody for about 410 days. Although the charge-sheet was filed on January 29, 2023. Charges have not yet been framed.
2. Learned counsel for the State submits that the next date in the trial court has been fixed on December 6, 2023 when charges shall also be framed.

3. However, in view of the long period of incarceration already spent by the petitioner as well the fact that despite the charge-sheet having been filed in January this year, the next date has been fixed for framing of charges about a year thereafter in December of this year, we are inclined to grant bail to the petitioner.
4. Accordingly, CRM (NDPS) 673 of 2023 is allowed, thereby granting bail to the petitioner on condition that the petitioner shall furnish bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the Special Court under NDPS Act, at Jalpaiguri.
5. The petitioner shall not leave the territorial jurisdiction without the leave 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.)