

AD-54
Ct No.01
Jalpaiguri
20.09.2023
SP

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

CRM (NDPS) 719 of 2023

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **08.09.2023** in connection with **Bhaktinagar** Police Station Case No. **151** of **2021** dated **13.02.2021** under Section **20(b)(ii)(c) of the NDPS Act.**

And

In the matter of: AMAL SARKAR AND ANR petitioners

Mr. Sudhindra Das
... for the petitioners

Mr. Aditi Shankar Chakraborty
Mr. Kallol Nag
... for the State

1. The petitioners are already in custody for 948 days.
Moreover, the trial has started.
2. Learned counsel for the State opposes the prayer for bail vehemently. However, keeping in view the long period of custody and the fact that custodial trial need not be necessary, CRM (NDPS) 719 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.

3. 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.
4. 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.)