

D/L. 24.
September 21, 2023.
MNS

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

CRM (NDPS) 745 of 2023

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 12.09.2023 in connection with New Jalpaiguri Police Station Case No. 1077 of 2021 dated 26.09.2021 under Section 20(b)(ii)(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of: Ranjeet @ Ranjit Kumar

.... Petitioner

Mr. Partha Pratim Sarkar,
Mr. Sudip Guha

... for the petitioner

Mr. Aditi Shankar Chakraborty,
Mr. Biswarup Roy

... for the State.

1. Learned counsel for the petitioner submits that the petitioner is already in custody for more than 700 days.
2. It is submitted by learned counsel for the petitioner, by placing reliance on the case status, that the trial is going on indefinitely. There are 14 witnesses in total. Hence, it is apprehended that the petitioner will have to suffer incarceration for a long period till the trial is over.
3. Learned counsel appearing for the State opposes the prayer for bail and submits that the petitioner is a resident of a different State and may escape if granted bail.
4. Moreover, it is contended that in the event the petitioner is released on bail, trial may be adversely affected.
5. Learned counsel further submits that the petitioner's previous prayer for bail was rejected as well.

6. We find from the order of the previous rejection of the petitioner's similar prayer that the same was on August 2, 2022, which is more than one year back. The petitioner, in our opinion, has sufficiently suffered incarceration and it is uncertain as to when the trial shall be concluded.
7. Hence, we are inclined to grant bail to the petitioner.
8. Accordingly, CRM (NDPS) 745 of 2023 is allowed, thereby granting bail to the petitioner on condition that the petitioner furnishes 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 under NDPS Act, Jalpaiguri.
9. The petitioner shall not leave the territorial jurisdiction of the trial court during the entire period of trial and shall attend the trial on each and every date.
10. 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.)