

AD-15
Ct No.01
Jalpaiguri
01.02.2023
TN

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

CRM (NDPS) 461 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **23.12.2022** in connection with **NDPS Case No. 29 of 2020** arising out of **New Jalpaiguri** Police Station Case No. **625** of **2020** dated **01.06.2020** under Sections **20(b)(ii)(c)/23(C)** of the **NDPS Act**.

And

In the matter of: **Lalan Ray**

.... petitioner

Mr. Sourav Kar

... for the petitioner

Mr. Aditi Sankar Chakraborty,
Mr. Kallol Nag

... for the State

The prayer for bail of the petitioner is opposed by learned counsel for the State at the outset.

Mitigating circumstances pleaded by the petitioner are primarily that the petitioner is already in custody for 2 years and 6 months and the provisions of Section 41B of the Code of Criminal Procedure were not complied with.

We find from the materials that there is sufficient ground in the petition to grant bail.

Accordingly, CRM (NDPS) 461 of 2022 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), First Court at Jalpaiguri.

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.

The petitioner, further, shall not 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.)

(Rai Chattopadhyay, J.)