

CRM (NDPS) 791 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Domkal Police Station** Case No. **151 of 2022** dated **18.03.2022** under Sections **22(c)/25/28/29** of the NDPS Act and Sections 25(1B)(a) of the Arms Act.

- A n d -

In the matter of : Kanchan Mandal @ Kanchan Mondal @ Kabil @ Kanchan Sk.

.... Petitioner.

Mr. Tapodip Gupta,

... For the Petitioner.

Mr. Arindam Sen,

Mr. Sourat Nandy,

... For the State.

Report filed by the State be kept with the records.

We find that only two out of nineteen witnesses have been examined. The petitioner is in custody for about two years and three months.

Today, the learned Advocate for the petitioner produces copy of an order dated July 3, 2024, whereby a co-accused, from whose house the commercial quantity of contraband item was recovered has been enlarged on bail by this Bench.

We find that this petitioner stands on the same footing as the other person who was granted bail in CRM (NDPS) 1004 of 2024.

Therefore, on the ground of parity we grant bail to the petitioner.

Accordingly, we direct that the petitioner, namely, **Kanchan Mandal @ Kanchan Mondal @ Kabil @ Kanchan Sk.**, shall be released on bail upon furnishing a bond of Rs. 25,000/-,

with two sureties of like amount each, one of whom must be local, to the satisfaction of the Learned Special Judge under the NDPS Act, Berhampore, Murshidabad and on further conditions that he shall not leave the jurisdiction of the concerned police station and shall report to the Officer-in-Charge of the concerned police station once in a fortnight until further orders. The petitioner shall appear before the trial Court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this court.

The application for bail is, accordingly, allowed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)