

32. 16.07.2024
Court
No.28 (Tanmoy)

Allowed

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (NDPS) 1099 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973, in connection with NDPS Case No. **171 of 2020** arising out of **Raghunathganj Police Station Case No. 353 of 2020**, dated **15.07.2020** under Sections **20(b)/29** of the NDPS Act, 1985.

And

In the matter of: - **Kamal Mondal @ Chatto**

...petitioner.

Mr. Sujoy Sarkar, Adv.,
Mr. Anisur Rahman, Adv.,
Ms. Sneha Srivastava, Adv.

...for the petitioner.

Mr. Ranadeb Sengupta, Adv.,
Mr. Dipankar Mahata, Adv.

...for the State.

The petitioner claims parity. He refers to an order dated June 28, 2024, passed by this Bench in CRM (NDPS) 944 of 2024, whereby a co-accused person was granted bail. The petitioner says that he stands on the same footing as that person.

Learned Advocate for the State, in his usual fairness, does not dispute such submission.

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

Accordingly, we direct that the petitioner, namely, **Kamal Mondal @ Chatto**, shall be released on bail upon furnishing a bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of like amount each, one of whom must be local, to the satisfaction

of the learned Judge, Special 5th Court (under NDPS Act) Berhampore, Murshidabad, subject to condition that the petitioner shall appear before the learned Trial Court on each and every date of substantive hearing subject to the provisions of Section 317 of the Code of Criminal Procedure, 1973, until further orders and shall not intimidate the witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to adhere to any of the conditions stipulated above without any justifiable cause, the learned 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 being CRM (NDPS) 1099 of 2024 is accordingly disposed of.

Criminal Section is directed to supply urgent photostat certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)