

28.
24-07-2024
(ct. no.28)
debajyoti
(allowed)

CRM (NDPS) 1143 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure (Corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita) in connection with Hili Police Station Case No.63 of 2023 dated 23-03-2023 under Sections 21(C)/22(C)/23(C)/27A of the Narcotic Drugs and Psychotropic Substances Act.

- A n d -

In the matter of : Akash Roy

.... Petitioner.

Mr. Soumya Basu Roy Chowdhuri

... For the Petitioner.

Mr. Arindam Sen,
Ms. Sujata DAs

... For the State.

Dictated by Arijit Banerjee, J.

The petitioner claims parity. He refers to an order dated July 08, 2024 passed by a coordinate Bench in CRM (NDPS) 1050 of 2024 whereby co-accused persons were enlarged on bail. He says that he stands on the same footing.

Learned advocate for the State points out that this petitioner's prayer for bail was rejected earlier. However, she does not dispute that co-accused persons, similarly circumstanced, have been enlarged on bail by this Court. Hence, on the ground of parity, we allow this application.

Accordingly, we direct that the petitioner, namely, **Akash Roy**, shall be released on bail upon furnishing a bond of Rs.25,000/- (Rupees Twenty Five Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of learned Judge, Special Court under NDPS Act cum Additional Sessions Judge, 3rd Court, Balurghat, Dakshin Dinajpur. The petitioner shall appear before the trial Court on every date of substantive hearing subject to the

provisions of Section 317 of the Code of Criminal Procedure and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever. The petitioner shall not leave the jurisdiction of the local police station except for the purpose of attending the court proceedings and shall report to the Officer-in-Charge of the said police station once in a week, until further orders.

In the event the petitioner fails to comply with any of the conditions stipulated above, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail being CRM (NDPS) 1143 of 2024 is, thus, **allowed**.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

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

(Partha Sarathi Sen, J.)

(Arijit Banerjee, J.)