

CRM (NDPS) 1329 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Madhyamgram Police Station** Case No. **463 of 2023** dated **28.07.2023** under Sections **20(b)/25** of the NDPS Act.

- A n d -

In the matter of : Rupanta Bairagi

.... Petitioner.

Mr. Angshuman Chakraborty,
Mr. S. S. Saha,

... For the Petitioner.

Mr. Partha Pratim Das,
Mr. D. Das,

... For the State.

Order dictated by Arijit Banerjee, J.:

1. The petitioner claims parity citing an order dated June 25, 2024, whereby a Coordinate Bench enlarged one Raju Mondal, a co-accused, on bail in CRM (NDPS) 900 of 2024. He says he stands on the same footing as Raju Mondal.

2. While opposing the prayer for bail, the learned Advocate for the State in his usual fairness does not dispute that the petitioner is similarly circumstanced as the aforesaid Raju Mondal.

3. Hence, on the ground of parity, we enlarge the petitioner on bail.

4. Accordingly, we direct that the petitioner, namely, **Rupanta Bairagi**, 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, Barasat, North 24 Parganas 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.

5. 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.

6. The application for bail is, accordingly, allowed.

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

(Prasenjit Biswas, J.)

(Arijit Banerjee, J.)