

CRM (NDPS) 1330 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Howrah Government Railway Police Station** Case No. **98 of 2023** dated **30.08.2023** under Sections **21(b)/29** of the NDPS Act.

- A n d -

In the matter of : Avishek Thakur

.... Petitioner.

Mr. Subir Ahmed,
Mr. S. Chatterjee,
Mr. T. Ahmed,
Mr. D. Banerjee,

... For the Petitioner.

Mr. Ranadeb Sengupta,
Mr. D. Sahu,

... For the State.

Order dictated by Arijit Banerjee, J.:

1. The petitioner renews his prayer for bail which was rejected earlier on April 29, 2024. He has renewed his prayer claiming parity, citing an order dated July 3, 2024 passed by a Coordinate Bench in CRM (NDPS) 876 of 2024 and other similar orders whereby co-accused persons were enlarged on bail. He says that he stands on the same footing as those persons.

2. While opposing the prayer for bail, learned Advocate for the State in his usual fairness does not dispute the submission of the petitioner that the petitioner and the other co-accused persons who have been granted bail are similarly circumstanced.

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

4. Accordingly, we direct that the petitioner, namely, **Avishek Thakur**, 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, Howrah 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.)