

11
27-11-2024
(ct. no.29)
S. De
(Allowed)

CRM (NDPS) 1753 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, 2023, in connection with N 11/2023 arising out of (Barackpore Excise Division) Excise SI Seizure list No.09/2023 dated 15.06.2023 under **Sections 21(c)/29** of the Narcotic Drugs & Psychotropic Substances Act 1985.

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In the matter of : Ramkrishna Tarafdar.

.... Petitioner.

Mr. S.S. Saha,

... For the Petitioner.

Mr. Debasish Roy, Ld. P.P.,

... For the State.

Order dictated by Arijit Banerjee, J.

1. The petitioner claims parity citing an order dated January 2, 2023, passed by a co-ordinate Bench in CRM (NDPS) 2057 of 2023, whereby a co-accused person, Sandip Debnath, was granted bail. The petitioner says that he stands on the same footing as Sandip Debnath.
2. Learned State advocate, while opposing the prayer for bail, in his usual fairness, does not dispute that this petitioner and the said Sandip Debnath are similarly circumstanced. This petitioner also holds a valid licence to deal in medicinal products including Phensedyl Syrup. The licence is still in operation. Hence, on the ground of parity, we allow this bail application.
3. Accordingly, we direct that the petitioner, namely, **Ramkrishna Tarafdar** shall be released on bail upon furnishing a bond of Rs. 25,000/ with two sureties of Rs.12,500/- each, one of whom must be local, to the satisfaction of the Learned Judge, Special

Court (under the NDPS Act), Barrackpore, 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.

4. 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.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)