

02.05.2024
Court No.01
Item No. 51

Allowed

sg

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

**CRAN 1 of 2024
In
CRM (NDPS) 160 of 2024**

In Re:- An application for recalling of the order dated 25.04.2024.

And

In Re: **Pradip Barman**

Petitioner

Mr. Hillol Saha Podder
Ms. Mousumi Das

For the Petitioner

Mr. Aditi Shankar Chakraborty
Mr. Kallol Nag

For the State

1. By filing the instant interim application, a prayer has been made on behalf of the petitioner for revisiting our order dated 25th April, 2024 as passed in CRM (NDPS) 160 of 2024 inasmuch as, at the time of moving the application for bail in CRM(NDPS) 160 of 2024, it could not be shown due to bonafide mistake that the present accused petitioner is similarly circumstanced with another co-accused Rajkumar Sarkar @ Lalu, who has been enlarged on bail on 22nd April, 2024 by us.
2. We have meticulously gone through our earlier order dated 25th April, 2024 as passed in this case and the order dated 22nd April, 2024 as passed in CRM(NDPS) 93 of 2024.

3. On perusal of the materials as placed before us, we are satisfied that the present accused petitioner is similarly circumstanced with the accused Rajkumar Sarkar @ Lalu, who has been enlarged on bail by us in CRM(NDPS) 93 of 2024.
4. Considering the nature of submission and also on parity of reasoning, we are convinced that the present interim application deserves to be allowed. Accordingly, our previous order dated 25th April, 2024 stand hereby recalled.
5. In the facts and circumstances of the present case, the present accused/petitioner vix. Pradip Barman shall be released on bail upon furnishing a bond of Rs.10,000/- with two registered sureties of like amount each, to the satisfaction of the learned Judge, Special Court (NDPS Act), Siliguri subject to condition that he shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever or commit similar offences in future.
6. In the event petitioner fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.
7. In the light of observation as made hereinabove, CRAN 1 of 2024 is disposed of.
8. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Partha Sarathi Sen, J.)

