

03.05.2024
SL No.10
Court No.1
(gc)
(Allowed)

***Circuit Bench of Calcutta High Court
At Jalpaiguri***

CRM (NDPS) 201 of 2024

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Birpara Police Station Case No.163 of 2022 dated 12.10.2022 under Sections 21(c)/25/29 of the NDPS Act, 1985.

And

In the matter of : **Gouranga Barman**

- Petitioner.

Mr. Supritam Nag,
Ms. Trishna Roy,
Mr. Arko Sarkar,
Mr. Samrat Sarkar

....For the Petitioner.

Mr. Sagnik Sankar Sikdar

...For the State.

1. Learned Counsel for the petitioner submits that a co-accused, namely, Surajit Barman was enlarged on bail on 02.05.2024 in CRM (NDPS) 192 of 2024 and having regard to the fact that the present accused petitioner is similarly placed and situated as that of Surajit Barman, the prayer bail may be considered in his favour.
2. Learned Counsel for the State while opposing the prayer for bail has fairly submitted that the present accused petitioner stands on the same footing as that of Surajit Barman.
3. In view of the admitted position, we are of the considered view that the present accused petitioner is also entitled to bail on the parity of reasoning.

4. In the facts and circumstances of the present case, the present accused petitioner, **Gouranga 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 Special Judge (under N.D.P.S. Act)/learned Additional Sessions Judge, 1st Court, Jalpaiguri, with a condition that the petitioner shall appear before the trial court on every date of substantive hearing subject to the provision of Section 317 Cr.P.C and the petitioner shall not intimidate the witnesses or tamper with evidence in any manner whatsoever. In the event of non-compliance of any of the conditions, the bail shall stand automatically cancelled without any further reference to this Court.
5. We request the learned Special Judge to expedite and conclude the trial preferably within a period of one year, if the charge is framed against the present accused petitioner.
6. Accordingly, the application for bail is disposed of.
7. 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.)