

JPD-22  
Ct No.01  
24.07.2024  
AK

Calcutta High Court  
In The Circuit Bench at Jalpaiguri  
Appellate Side

**CRM (NDPS) 296 of 2024**

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bagdogra Police Station Case No. 366 of 2023 dated 01.08.2023 under Sections 21(c) of the NDPS Act.

And

In the matter of: **Bharat Mondal @ Bharat Mandal**

.... petitioner

Mr. Hillol Saha Podder

Ms. Mousumi Das

... for the petitioner

Mr. Aditi Shankar Chakraborty

Mr. Kallol Nag

... for the State

1. Learned counsel for the petitioner submits that the petitioner is 70 years of age.
2. That apart, learned counsel for the petitioner seeks to point out certain apparent discrepancies in the samples sent for chemical analysis.
3. Learned counsel appearing for the State opposes the prayer for bail and submits that next date of trial has been fixed on August 21, 2024.
4. That apart, the State contends, the involvement of the petitioner was direct.
5. Although the other issues raised by the petitioner are the subject-matter of trial, we are inclined to grant bail to the petitioner on the sole ground of the advanced age of the petitioner.

6. Accordingly, CRM (NDPS) 296 of 2024 is allowed, thereby granting bail to the petitioner on condition that the petitioner shall furnish a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the Learned Special Judge, Special Court (under NDPS Act, 1985), Siliguri.
7. The petitioner shall not leave the territorial jurisdiction of the trial court during the entire period of trial and shall attend each and every date of trial.
8. Further, the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts and circumstances of the case so as to dissuade such person from disclosing such facts to any police officer or the court and/or tamper with the evidence in any manner whatsoever.

**(Sabyasachi Bhattacharyya, J.)**

**(Prasenjit Biswas, J.)**