

AD-18
Ct No.01
Jalpaiguri
25.07.2024
B.Pal

**Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Side**

CRM (NDPS) 306 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 16.07.2024 in connection with Siliguri Police Station Case No. 1103 of 2021 dated 08.09.2021 under Sections 21(c)/22(c) of the NDPS Act, 1985.

And

In the matter of: NIRANJAN DAS

...Petitioner

Mr. Hillol Saha Podder,
Ms. Mousumi Das

... for the petitioner

Mr. Aniruddha Biswas,

... for the State

1. Learned counsel for the petitioner contends that the petitioner is already in custody for 1051 days. Out of a total of fifteen witnesses, only two have been examined as yet. More importantly, a co-accused person standing on similar footing as the petitioner has already been enlarged on bail.
2. The prayer for bail is opposed by the State. However, from the case diary produced by learned counsel for the State, it transpires that the petitioner indeed stands on a co-equal footing with the other co-accused who was granted bail. Accordingly, by application of the principle of parity, we are inclined to grant bail to the present petitioner as well.

3. Accordingly, CRM (NDPS) 306 of 2024 is allowed, thereby granting bail to the petitioner on condition that the petitioner shall furnish bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the Special Court (NDPS Act), Siliguri.
4. The petitioner shall not leave the territorial jurisdiction of the trial court throughout the period of trial and shall attend each and every date of trial.
5. Further, the petitioners 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.)