

AD-67
Ct No.01
Jalpaiguri
23.07.2024
B.Pal

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

CRM (NDPS) 331 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 19.07.2024 in connection with Pradhan Nagar Police Station Case No. 734 of 2023 dated 16.09.2023 under Section 21(c), 22(c), 27A, 29 of the NDPS Act, 1985.

And

In the matter of: KARIBUL ISLAM

...Petitioner

Ms. Radhika Agarwal,
Mr. Dhiraj Lakhotia,
Ms. Meghna Joshi,
Ms. Khusi Kundu

... for the petitioner

Mr. Nilay Chakraborty,
Mr. Biswarup Roy

... for the State

1. At the outset, serious objection is taken to the prayer for bail by the State.
2. However, in view of other co-accused persons in the self-same offence having already been enlarged on bail on detailed reasons in connection with CRM (NDPS) 267 of 2024, we intend to extend the same benefit to the present petitioner since all of them stand on equal footing, invoking the doctrine of parity.

3. Accordingly, CRM (NDPS) 331 of 2024 is allowed, thereby granting bail to the petitioner on condition that the petitioner shall furnish bond of Rs.20,000/- 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. That apart, the petitioner shall not commit any offence akin to that for which he has been accused.
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.)