

JPD-8
Ct No.01
29.07.2024
S. Bag

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

CRM (NDPS) 336 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Bhaktinagar Police Station Case No. 1375 of 2022 dated 26.12.2022 under Sections 21(c)/25/29 of the N.D.P.S. Act, 1985.

And

In the matter of: Dipak Sahani @ Deepak Sahani

....petitioner

Mr. Supritam Nag, Adv.

Ms. T. Roy, Adv.

Mr. A. Sarkar, Adv.

... for the petitioner

Mr. Nilay Chakraborty, Adv.

Mr. Subhasish Misra, Adv.

... for the State

1. Learned counsel for the petitioner argues that petitioner is already in custody for 578 days. Also, a co-accused person standing on similar footing as the petitioner was enlarged on bail by an order dated July 27, 2024.
2. Learned counsel for the State opposes the prayer for bail. However, in view of the extenuating circumstances as indicated above, keeping in view the long period of custody of the petitioner and that a co-accused standing on similar footing has already been granted bail, we are inclined to grant similar relief to the petitioner.

3. In such view of the matter, CRM (NDPS) 336 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 learned Special Court (NDPS Act) at Jalpaiguri.
4. 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.
5. 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.)