

JPD-80
Ct No.01
30.07.2024
TN

Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Side

CRM (NDPS) 371 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Jaigaon** Police Station Case No.**144** of **2024** dated **13.07.2024** under Sections **21(c)/29** of the **NDPS Act, 1985**.

And

In the matter of: **Bappi Islam**

.... petitioner

Ms. Esha Acharya,
Mr. Sampad Das

... for the petitioner

Mr. Nilay Chakraborty, Ld. APP,
Mr. Abhijit Sarkar,
Mr. Kallol Nag

... for the State

1. Learned counsel for the petitioner contends that the petitioner was arrested merely on the statement of a co-accused person and no recovery was made from the petitioner.
2. Learned counsel for the State opposes the prayer for bail.
3. However, in view of the mitigating circumstances as narrated above, we are of the opinion that the rigour of Section 37 of the NDPS Act is not applicable.
4. Accordingly, CRM (NDPS) 371 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 Court (NDPS Act), Alipurduar.

- 5.** 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.
- 6.** 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.)