

JPD-65
Ct No.01
01.08.2024
TN

Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Side

CRM (NDPS) 377 of 2024

In Re: - An application for bail under Section 483 Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Birpara** Police Station Case No. **171** of **2023** dated **27.11.2023** under Section **21(b)(ii)(c)** of the **NDPS Act, 1985**.

And

In the matter of: **Jayanti Mohanta and another**

.... petitioners

Mr. Hillol Saha Podder,
Ms. Mousumi Das

... for the petitioners

Mr. Aditi Shankar Chakraborty, Ld. APP,
Mr. Biswarup Roy

... for the State

1. The petitioners contend that one of the co-accused persons standing on similar footing as the petitioners has already been granted bail by an order dated July 25, 2024 passed in CRM (NDPS) 322 of 2024.
2. Learned counsel for the State opposes the prayer for bail.
3. However, on the ground of parity, since the petitioners stand on co-equal footing as the other co-accused who was granted bail, namely, Krishna Mahanta, we are inclined to grant bail to the petitioners as well.
4. Accordingly, CRM (NDPS) 377 of 2024 is allowed, thereby granting bail to the petitioners on condition that the petitioners shall

furnish bond of Rs.10,000/- each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Session Judge cum Judge, Special Court (NDPS Act), Alipurduar. The sureties may be common for both the petitioners.

- 5.** The petitioners 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 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.)