

**Calcutta High Court
In the Circuit Bench at Jalpaiguri**

27.11.2024
Item No.18
Court No.1
(GB)
(Allowed)

CRM (NDPS) 507 of 2024

In Re: - An application for bail under section 439 of the Code of Criminal Procedure, 1973/Section 483 of the B.N.S.S. 2023 in connection with **Jaigaon** Police Station Case No.127/2024 dated **22.06.2024** under Section 21(c)/29 of NDPS Act, 1985.

And

In the matter of: **Saffiar Miya @Saffiar Rahaman**

....Petitioner.

Mr. Shuvankar Dutta,
Ms. Somdutta Patra,
Mr. Somyadeep Paul

...for the Petitioner.

Mr. Kallol Acharjee,
Mr. Sourav Ganguly

... for the State.

1. The petitioner is in custody for more than 150 days. There was no recovery of contraband item from the petitioner. The petitioner has been implicated on the basis of the statement of a co-accused. He prays for bail.
2. Learned advocate for the State submits that commercial quantity of cough syrup containing codeine mixture was seized from one of the persons, namely, Ilias Hossain. The name of the petitioner transpired from the statement of the Ilias Hossain, made before the police.
3. Thus, from the materials on record and the fact that one Saran Thapa, who is a co-accused and has been granted bail, the Court is inclined to grant bail to the petitioner on the ground of parity and on the above facts.
4. Accordingly, we direct that the present petitioner shall be released on bail upon furnishing a bond of Rs.25,000/- with two sureties of equal amount each, one of whom must be local, to the satisfaction of the

learned Judge, Special Court, under NDPS Act, Alipurduar and on further condition that he will meet the Investigating Officer once a week, until further orders. The petitioner shall appear before the learned trial court on each and every date of hearing and shall not intimidate the witnesses or tamper with any evidence. The petitioner shall not leave the jurisdiction of the trial court. In case of failure to comply with the above directions, the learned trial Judge shall be entitled to cancel the bail without further reference to this Court.

5. The application for bail, being CRM (NDPS) 507 of 2024 is, thus, disposed of.
6. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Shampa Sarkar, J.)

(Partha Sarathi Chatterjee, J.)