

02.12.2024
Item No.20
Court No.1
(GB)
(Allowed)

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

CRM (NDPS) 508 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 **Pradhan Nagar** Police Station Case No.**306/2024** dated **02.05.2024** under Sections 21(c)/22(c)/29 of NDPS Act, 1985.

And

In the matter of: **Mamun Raja & Anr.**

....Petitioners.

Ms. Madhushri Dutta

...for the Petitioners.

Mr. Abhijit Sarkar,
Mr. Sanjiv Das

... for the State.

1. The petitioners pray for bail on the ground of prolonged incarceration.
Learned advocate for the petitioners submits that there is no likelihood of early conclusion of trial. 15 witnesses have been cited in the charge-sheet.
2. Learned advocate for the State produces the case diary and opposes the prayer for bail. He submits that the petitioner and the co-accused had stolen a two wheeler and used the said vehicle at the time of commission of offence. That charge-sheet has been submitted but charge has not yet been framed.
3. Considering the materials on record and the fact that there is hardly any possibility of early conclusion of trial and that there is no progress in the case after filing of the chare-sheet, we are inclined to enlarge the petitioners on bail upon furnishing a bond of Rs.25,000/- each, 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, Siliguri. The petitioners 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 petitioners 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.

4. The application for bail, being CRM (NDPS) 508 of 2024 is, thus, disposed of.
5. 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.)