

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

27.11.2024
Item No.26
Court No.1
(GB)
(Allowed)

CRM (NDPS) 533 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 **Alipurduar** Police Station Case No.**372/2024** dated **02.09.2024** under Sections 21(b)/27 of NDPS Act, 1985.

And

In the matter of: **Raja Das**

....Petitioner.

Mr. Anirban Banerjee,
Md. M. Rahaman

...for the Petitioner.

Mr. Tapan Bhattacharjee,
Mr. Dhiman Sil

... for the State.

1. The petitioner submits that he is in custody for 88 days. No charge-sheet has yet been submitted. Allegation is that 49.6 gms. of brown sugar was recovered from the petitioner.
2. The learned advocate for the State is also not in a position to suggest when the FSL report can be collected by the prosecution.
3. Thus being the position, we cannot allow the petitioner to be detained in custody for an indefinite period.
4. Accordingly, we direct that the 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. The petitioner shall not intimidate the witnesses or tamper with any evidence. The petitioner shall not leave the jurisdiction of the trial court and shall meet the Investigating Officer once a week, until further orders. 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) 533 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.)