

28.11.2024
Ct. No. 01
SL No. 17
Cp
(allowed)

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI

CRM (NDPS) No. 547 of 2024

In Re: - An application for bail under Section 483 of the B.N.S.S. 2023 in connection with Pradhannagar Police Station Case No. 174 of 2023 dated 11.03.2023 under Sections 21(c) of the NDPS Act, 1985.

And

In the matter of: Abhishek Chettri

.....petitioner.

Mr. Abhishek Sarkar

... for the petitioner

Mr. Abhijit Sarkar

Mr. Dhiman Sil

...for the State

1. Learned advocate representing the petitioner submits that the petitioner is in custody for 384 days. He prays for bail on the ground of prolonged detention. It is submitted that although the charge-sheet was filed on August 28, 2023, the charges are yet to be framed. 10 witnesses have been cited in the charge-sheet.
2. Mr. Sarkar, learned advocate for the State objects to the prayer for bail on the ground that it is the third attempt of the petitioner. Commercial quantity of contraband item was recovered from the exclusive possession of the petitioner.
3. Heard the learned advocates of the respective parties and seen the earlier orders of rejection. We have also considered the prayer of the petitioner for bail on the ground of prolonged incarceration.

4. Considering the above factors, 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 learned Judge, Special Court under NDPS Act, 2nd Court, Siliguri, subject to the condition that the petitioner shall appear before the learned Trial Court on each and every date of hearing until further order and shall not intimidate witnesses or tamper with evidence in any manner whatsoever or commit similar offences in future. The petitioner will not leave the jurisdiction of the trial court without permission.
5. In the event the petitioner fails to comply with the conditions as stated hereinabove, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.
6. The application for bail is, thus, allowed and disposed of.

(Partha Sarathi Chatterjee, J.)

(Shampa Sarkar, J.)