

06.12.2024
Item No.23
Court No.1
(GB)
(Allowed)

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

CRM (NDPS) 563 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 **Bhaktinagar** Police Station Case No.1080/2023 dated **08.12.2023** under Sections 21(c)/22(c)/29 of NDPS Act, 1985.

And

In the matter of: **Md. Jahangir**

....Petitioner.

Mr. Hillol Saha Podder

Ms. Mousumi Das

...for the Petitioner.

Mr. Biswarup Roy

... for the State.

1. The petitioner prays for bail on the ground of prolonged incarceration. He is in custody for 376 days. He submits that 17 witnesses have been cited in the charge-sheet and there is hardly any likelihood of early conclusion of trial. It is further submitted that slightly over commercial quantity of contraband article was seized from the petitioner. A co-accused is on bail.
2. Learned advocate for the State opposes the prayer for bail and submits that commercial quantity of contraband article was seized from the petitioner's possession and the petitioner should not be enlarged on bail.
3. Considering the materials on record and the fact that there is hardly any possibility of early conclusion of trial, we are inclined to enlarge the petitioner 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,

Jalpaiguri. 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.

4. The application for bail is, thus, allowed and 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.)