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21-02-2025
(ct. no.29)
S. De
(Allowed)

CRM (NDPS) 123 of 2025

In re: An application for bail under Section 439 of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with **NCB Crime No. 03/NCB/KOL/2024** dated **06.03.2023** under Sections **8(c) and read with Section 20(b)(ii)(c)** of the Narcotic Drugs & Psychotropic Substances Act 1985.

- A n d -

In the matter of : Rajat Biswas. Petitioner.

Mr. Joydeep Biswas,
Mr. Amanul Islam,
Mr. Sourav Mukherjee,
Mr. Kaushik Ghosh, ... For the Petitioner.

Mr. Gouranga Kumar Das
Mr. R.R. Mohanty, ... For the NCB.

Order dictated by Arijit Banerjee, J.

1. Report filed in Court on behalf of the Narcotics Control Bureau (NCB), be kept with the records.
2. The petitioner says that he is in custody for 248 days. He says that there was no recovery of narcotics from his possession. There is little possibility of the trial concluding on an early date. He prays for bail.
3. Learned counsel for the NCB submits that the petitioner is one of the conspirators involved in trafficking narcotics. Call Detail Records (CDRs) show, telephone calls, having been exchanged between the petitioner and the co-accused, from whom narcotics of commercial quantity was recovered.
4. We have considered the material-on-record. There was no recovery of contraband items from the petitioner. His complicity is based on CDRs. Contents of the conversations are not known.

5. Therefore, we find that the petitioner is similarly circumstanced as another accused person by the name of Samir Kumar Ghosh @ Samir Ghosh who was granted bail by a co-ordinate Bench by an order dated November 5, 2024, passed in CRM (NDPS) 1513 of 2024.

6. Hence on the ground of parity, we are inclined to grant bail to the petitioner.

7. Accordingly, we direct that the petitioner, namely, **Rajat Biswas** shall be released on bail upon furnishing a bond of Rs. 25,000/ with two sureties of Rs.12,500/- each, one of whom must be local, to the satisfaction of the Learned Judge, Special Court (under the NDPS Act), Krishnanagar, Nadia, subject to the condition that the petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

8. In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioners' bail in accordance with law without further reference to this court.

9. The application for bail is, accordingly, allowed.

10. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)