

CRM (NDPS) 138 of 2025

In re: An application for bail under Section 439 of the Code of Criminal Procedure/Section 483 of the BNSS in connection with **English Bazar Police Station** Case No. **722 of 2024** dated **06.06.2024** under Sections **21(c)/29** of the NDPS Act.

- A n d -

In the matter of : Palash Mandal @ Polash

.... Petitioner.

Mr. Wasim Akram,
Ms. Sabrina Parveen,

... For the Petitioner.

Mr. Koushik Kundu,
Mr. S. Nandy,

... For the State.

Order dictated by Arijit Banerjee, J.:

1. The petitioner claims parity citing two orders dated November 5, 2024 passed in CRM (NDPS) 1495 of 2024 and CRM (NDPS) 1620 of 2024, whereby two accused persons by the names of Kartik Ghosh and Samrat Ghosh @ Subrata Ghosh respectively, were enlarged on bail by a coordinate Bench. The petitioner says that he stands on the same footing as those persons.

2. While opposing the bail prayer, learned State Advocate in his usual fairness does not dispute that the petitioner herein is similarly circumstanced as Kartik Ghosh and Samrat Ghosh @ Subrata Ghosh.

3. Hence, on the ground of parity, we are inclined to enlarge the petitioner on bail.

4. Accordingly, we direct that the petitioner, namely, **Palash Mandal @ Polash**, shall be released on bail upon furnishing a bond of Rs. 25,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the Learned Special Judge under the NDPS Act, Malda subject to condition that he 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 and on further condition that the petitioner while on bail shall remain within the jurisdiction of the concerned police station and shall meet the I.C of the concerned police station once in a week until further orders.

5. 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 petitioner's bail in accordance with law without further reference to this court.

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

7. 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.)