

IN THE HIGH COURT AT CALCUTTA  
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (NDPS) 195 of 2025

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 / Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, arising out of **Airport** Police Station Case No.**428/2021** dated **09.11.2021** under Sections **21(c)/29** of the Narcotic Drugs & Psychotropic Substances Act, 1985.

And

In the matter of: - **Md. Firoz @ Shabbo.**  
...petitioner.

Mr. Dhananjay Banerjee  
...for the petitioner.

Ms. Amita Gaur,  
Ms. Debjani Das Gupta  
...for the State.

**Dictated by Arijit Banerjee, J.**

1. The petitioner claims parity citing an order dated January 13, 2025 passed in CRM (NDPS) 1758 of 2024, whereby we had enlarged on bail a co-accused person by the name *Md. Sahid Parvez @ Baccha Sahid @ Md. Sahid Parvez*, primarily on the touchstone of Article 21 of the Constitution of India. That person was in custody for 3 (three) years and 2 (two) months. The petitioner says that he stands on a better footing as he is in custody for 3 (three) years and 3 (three) months.
2. Learned State advocate while opposing the prayer, in her usual fairness, does not dispute that insofar as delay in trial and period of detention are concerned, this petitioner is similarly

circumstanced as the other accused person mentioned above, who has been enlarged on bail.

3. Hence, on the ground of parity, we are inclined to grant bail to the petitioner.
4. Accordingly, we **allow** the petitioner's prayer for bail.
5. Accordingly, we direct that the petitioner, namely, **Md. Firoz @ Shabbo.** shall be released on bail upon furnishing a bond of Rs.25,000/- (Rupees Twenty Five Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of learned *Additional District & Sessions Judge, 1<sup>st</sup> Court, Special Judge, NDPS Act, Barrackpore, North 24 Parganas.* The petitioner shall appear before the trial Court on each and every date of substantive hearing subject to the provisions of Section 317 of the Code of Criminal Procedure, 1973 / Section 355 of the Bharatiya Nagarik Suraksha Sanhita, 2023 and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever. The petitioner shall not enter the territorial jurisdiction of the *Titagarh* Police Station and shall report to the Officer-in-Charge/Inspector-in-Charge of the said police station once in a fortnight, until further orders.
6. In the event the petitioner fails to comply with any of the conditions stipulated above, the trial Court shall be at liberty to cancel the bail in accordance with law without further reference to this court.
7. The application for bail being CRM (NDPS) 195 of 2025 is, thus, disposed of.

8. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.
9. Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

**(Arijit Banerjee, J.)**

**(Apurba Sinha Ray, J.)**