

03.03.2025
Item no. 59.
Court No.29.
AB
(Allowed)

CRM (NDPS) 211 of 2025

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Bauria Police Station Case No.176 of 2021 Dated 16.10.2021 under Sections 20(b)(ii)(c) of the NDPS Act

And

In the matter of : Raju DasPetitioner.

Md. Wasim Akram,
Ms. Sabrina Parveen,
Mr. Sajis Halderfor the Petitioner.

Ms. Sreyashee Biswas,
Mr. Tirthankar Dhalifor the State.

Dictated by Arijit Banerjee, J.

1. The petitioner claims parity citing an order dated February 13, 2025, passed in CRM (NDPS) 16 of 2025, whereby a Coordinate Bench had enlarged on bail a co-accused person by the name of Sourav Mahapatra solely on the ground of delay in progress of the trial and prolonged custodial detention.
2. The petitioner herein says that he stands on the same footing as Sourav Mahapatra as he is in custody for more than three years and four months.
3. Learned State Counsel, while opposing the prayer for bail, in her usual fairness, does not dispute that this petitioner is similarly circumstanced as the said Sourav Mahapatra insofar as the issues of delay in progress of trial and period of detention of the petitioner are concerned.

4. Hence, on the ground of parity, we allow the petitioner's prayer for bail.
5. Accordingly, we direct that the petitioner, namely **RAJU DAS** 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 at Howrah, and on further conditions that he shall remain within the jurisdiction of the concerned Police Station and shall meet the Officer in Charge of the concerned Police Station once in a fortnight until further orders.
6. The petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence and/or commit any cognizable offence in any manner whatsoever.
7. 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.
8. The application for bail is, accordingly, allowed.
9. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Prasenjit Biswas, J.)

(Arijit Banerjee, J.)

