

75. 06.03.2025
Court
No.29 (Tanmoy)

Allowed

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION**

CRM (NDPS) 252 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 **English Bazar** Police Station Case No. **722/2024** dated **06.06.2024** under Sections **21(c)/29** of the NDPS Act, 1985. NDPS Case No. 40/2024.
And

In the matter of: - **DASU GHOSH @ DASHU GHOSH**

...petitioner.

Mr. Md. Wasim Akram
Ms. Sabrina Parvin

...for the petitioner.

Ms. Anasuya Sinha, APP
Mr. Mujibar Ali Naskar

...for the State.

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 a co-ordinate Bench granted bail to two co-accused persons by the names of Kartick Ghosh and Samrat Ghosh @ Subrata Ghosh. The petitioner says that he stands on the same footing as Kartick Ghosh and Samrat Ghosh @ Subrata Ghosh. No narcotics were recovered from his possession. He has been implicated solely on the basis of statements made by co-accused persons, which are inadmissible in evidence.

2. Learned State Counsel, while opposing the prayer for bail, in her usual fairness, does not dispute that this petitioner is similarly circumstanced as the aforesaid two accused persons.
3. Hence on the ground of parity, we allow the petitioner's prayer for bail.
4. Accordingly, we direct that the petitioner, namely, **DASU GHOSH @ DASHU GHOSH** 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 the learned Judge, Special Court, 4th Court under the NDPS Act, Malda, subject to condition that 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 Bharatiya Nagarik Suraksha Sanhita, 2023, and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever and on further condition that the petitioner, while on bail, shall report to the Inspector-in-Charge/Officer-in-Charge 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 any justifiable cause, the Trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.
6. The application for bail being CRM (NDPS) 252 of 2025 is accordingly disposed of.

7. Criminal Section is directed to make available urgent photostat certified copies of this order to the parties, if applied for, upon compliance with all requisite formalities.

(Prasenjit Biswas, J.)

(Arijit Banerjee, J.)