

53. 17.03.2025
Court
No.29 (Pritam)
(Allowed)

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (NDPS) 292 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 **Panchla** Police Station Case No.**186/2023** dated **10.06.2023** under Sections **20(b)(ii)(c)/29** of the Narcotic Drugs & Psychotropic Substances Act, 1985.

And

In the matter of: - **Bhutan Giri.**

...petitioner.

Mr. Mritunjoy Chatterjee,
Mr. Tusar Hazra,
Mr. Arindam Poali

...for the petitioner.

Mr. Bibaswan Bhattacharya,
Ms. Kanchan Roy

...for the State.

Dictated by Arijit Banerjee, J.

1. The petitioner renews his prayer for bail, which was last rejected by a co-ordinate bench by an order dated July 24, 2024 passed in CRM (NDPS) 1133 of 2024. While rejecting his prayer that bench had directed the learned trial court to conclude the trial within one year from the date of communication of the order.
2. The petitioner says that although the period of one year has not elapsed, he is renewing his prayer since by an order dated December 9, 2024, passed in Petition(s) for Special Leave to

Appeal (Crl.) No.13147 of 2024, the Hon'ble Supreme Court has been pleased to grant bail to a co-accused person by the name of Tarak Singh on the ground that he was in custody for one and half years and he had no criminal antecedents. The petitioner says that he stands on the same footing as Tarak Singh. He is in custody for about 1 (one) year and 9 (nine) months.

3. Learned State advocate, while opposing the prayer for bail, in her usual fairness, does not dispute that this petitioner is similarly circumstanced as the said Tarak Singh insofar as the period of detention and issue of criminal antecedents 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, **Bhutan Giri** 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 *Judge, Special Court, NDPS Act, Howrah*. 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.

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) 292 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.)