

17.03.2025
Item no. 60.
Court No.29.
AB
(Allowed)

CRM (NDPS) 299 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 Liluah Police Station Case No.163 of 2023 Dated 14.04.2023 under Section 20(b)(ii)(c) of the NDPS Act

And

In the matter of : Prasant Patra @ Pasoi Petitioner.

Sk. Toslim Ali for the Petitioner.

Ms. Amita Gour,
Ms. Mousumi Sarkar for the State.

Dictated by Arijit Banerjee, J.

1. The petitioner claims parity citing an order dated February 18, 2025, passed by this Bench in CRM (NDPS) 49 of 2025, whereby a co-accused person by the name of Biswaraj Giri @ Raja, was enlarged on bail solely on the ground of delay in progress of the trial and there being very little possibility of an early conclusion of the trial. The petitioner says that he stands on the same footing as Biswaraj Giri @ Raja.
2. While opposing the prayer for bail, learned State Counsel, in her usual fairness, does not dispute that this petitioner and Biswaraj Giri @ Raja are similarly circumstanced insofar as the period of detention and delay in trial are concerned.
3. Hence, on the ground of parity, we allow the petitioner's prayer for bail.

4. Accordingly, we direct that the petitioner, namely **Prasant Patra @ Pasoi** 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 not leave the jurisdiction of Howrah Police Station and shall report to the Officer-in-Charge/Inspector in Charge of Howrah Police Station thrice a week until further orders.
5. 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.
6. 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.
7. The application for bail is, accordingly, allowed.
8. 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.)

