

58. 26.03.2025
Court
No.29 (Pritam)
(Allowed)

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

CRM (NDPS) 324 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 **Sankrail** Police Station Case No.**693/2023** dated **12.09.2023** under Sections **20(b)(ii)(c)/25/29** of the Narcotic Drugs & Psychotropic Substances Act, 1985.

And

In the matter of: - **Jakir Mondal.**

...petitioner.

Mr. Sk. Toslim Ali,
Ms. Rituparna Bhadra

...for the petitioner.

Mr. Anand Keshri,
Mr. Ronit Mukherjee

...for the State.

Dictated by Arijit Banerjee, J.

1. The petitioner claims parity citing an order dated March 6, 2025 passed in CRM (NDPS) 154 of 2025 whereby a co-ordinate bench enlarged on bail a co-accused person in the name of Salman Dafadar @ Salman Dafader solely on the touchstone of Article 21 of the Constitution of India. That person was in custody for 1 (one) year and 5 (five) months and only 1 out of 10 charge-sheet named witnesses had been examined, that too in part. The petitioner says that he stands on the same footing. He is also in custody for about 1 (one) year and 6 (six) months and the status of the trial is the same.

2. While opposing the bail prayer, learned State advocate in his usual fairness, does not dispute that this petitioner is similarly circumstanced as the aforesaid Salman Dafadar insofar as the period of detention and delay in progress of 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, **Jakir Mondal**, 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, 3rd Court, 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. The petitioner shall remain within the territorial jurisdiction of *Howrah* Police Station except for the purpose of attending court proceeding and shall meet the OC/IC of the said police station twice in a week, until further orders.
5. 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.

6. The application for bail being CRM (NDPS) 324 of 2025 is, thus, disposed of.
7. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.
8. 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.)