

26.03.2025
Item no. 64.
Court No.29.
AB
(Allowed)

CRM (NDPS) 330 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 Berhampore Police Station Case No.811 of 2023 Dated 20.06.2023 under Section 21C/29 of the NDPS Act

And

In the matter of : Gour Sarkar

.....Petitioner.

Mr. Arnab Chatterjee,
Mr. Avik Ghosh,
Ms. Poulami Bosefor the Petitioner.

Mr. Suman De,
Mr. Ratul Ghoshfor the State.

Dictated by Apurba Sinha Ray, J.

1. The petitioner claims parity. According to him, by an order dated February 21, 2025, passed in CRM (NDPS) 137 of 2025, a co-accused person by the name of Golam Sk. has been granted bail on the ground of delay in trial. The petitioner says that he stands on the same footing as Golam Sk.
2. Learned State Counsel, while opposing the bail prayer, does not dispute that the present petitioner is similarly circumstanced with the accused Golam Sk. who was granted bail on 21.02.2025.
3. Hence, without touching the merits of the case and solely on the ground of parity, we allow the petitioner's prayer for bail.
4. Accordingly, we direct that the petitioner, namely **GOUR SARKAR** 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 Berhampore, Murshidabad, and on further conditions that while on bail he shall remain within the jurisdiction of the concerned police station and shall meet the Officer in charge, STF, Murshidabad Unit, S.P. Office at Berhampore twice in 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.)

