

20.
Court
No.29
(Allowed)

26.03.2025
(Pritam)

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

CRM (NDPS) 358 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: - **Sourav Tikadar & Anr.**

...petitioners.

Mr. Navanil De,
Mr. Srijan Ghosh

...for the petitioners.

Mr. Ranadeb Sengupta,
Mr. Tirupati Mukherjee

...for the State.

Dictated by Arijit Banerjee, J.

1. Status report filed by the State be kept with the records.
2. It appears that the learned trial court is still lying vacant. The petitioners claim parity by citing an order dated March 6, 2025 passed in CRM (NDPS) 154 of 2025, whereby, an accused person by the name of Salman Dafadar @ Salman Dafader was enlarged on bail by a co-ordinate bench. The petitioners say that they stand on the same footing as the said Salman Dafadar, since they are in custody for 1 (one) year and 6 (six) months.

3. Learned advocate for the State while opposing the bail prayer, in his usual fairness, does not dispute that these petitioners are similarly circumstanced insofar as the delay in progress and period of detention are concerned.
4. Hence, on the ground of parity, we allow the petitioners' prayer for bail.
5. Accordingly, we direct that the petitioners, namely, **Sourav Tikadar & Arnab Bhattacharjee**, 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 and Sessions Judge, 3rd Court, (Special Court under NDPS Act) Howrah*. The petitioners 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 petitioners shall remain within the jurisdiction of the *Howrah* Police Station and shall meet the OC/IC of the *Howrah* Police Station twice in a week, until further orders.
6. In the event the petitioners fail 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) 358 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.)