

16.10.2025
Item No.DL240
Court No. 16
Vacation
Bench

ALLOWED

Asraf & Sudipta

In the High Court at Calcutta
Criminal Miscellaneous Jurisdiction
Appellate Side

Case No. CRM (NDPS) 1119 of 2025

In Re : An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Karimpur Police Station Case no.122 of 2023 dated 22.05.2023 under Section 20(b)(ii)(c), 25 and 27A of the NDPS Act.

-AND-

In Re : **AMIT SWARNAKAR alias AMIT KUMAR SWARNAKAR**

.....Petitioner

For the Petitioner :

Mr. Sabir Ahmed
Mr. Md. G. N. Imrohi
Mr. Dhiman Banerjee

.....Advocates

For the State :

Mr. P. K. Dutta
Mr. Asif Dewan

.....Advocates

1. It is submitted on behalf of the petitioner that the petitioner was granted bail on 10th June, 2024 in connection with the instant police station case but since he was being arrested in connection with other case, he could not appear before the Trial Court, as a result warrant of arrest was issued against him and subsequently he was again arrested and presently he is languishing behind the bar.
2. It is further submitted by the petitioner that several complaints have been lodged falsely implicating him and in all the cases he has been enlarged on bail as well as anticipatory bail.

3. The learned counsel for the State raises objection on the ground that no specific averment has been made in the petition that he could not comply with the direction as he was behind the bars in connection with other cases.
4. After hearing the learned advocates for the parties and going through the materials on record and annexures to the petition itself, it transpires that by way of an order passed by a Division Bench dated 10th June, 2024 the bail prayer was allowed with the observation that no contraband was recovered from the petitioner and subsequently he could not comply with the conditions as he failed to appear before the Trial Court and was again arrested, this Court is of the view that the petitioner may be enlarged on bail as during this time he must have understood the consequences of violating the Court's order.
5. Accordingly, the prayer for bail is allowed.
6. The petitioner be released on bail upon furnishing bond of Rs.25,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Judge, Special Court, NDPS, Krishnagar, Nadia subject to the condition that he shall not leave the jurisdiction of the concerned police station and shall report to the Officer-in-Charge of the concerned police station once in a fortnight until further orders. The petitioner shall appear before the Trial Court on every date of hearing and shall not intimidate the witnesses and / or tamper with evidence in any manner whatsoever.

7. In the event, the petitioner fails to adhere to any of the conditions mentioned above without justifiable cause, the learned Trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.
8. The application for bail is, thus, disposed of.
9. Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

[Chaitali Chatterjee (Das), J.]