

16.10.2025
Item No.DL242
Court No. 16
Vacation
Bench

ALLOWED

Asraf & Sudipta

In the High Court at Calcutta
Criminal Miscellaneous Jurisdiction
Appellate Side

Case No. CRM (NDPS) 1121 of 2025

In Re : An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Dhubulia Police Station Case no.636 of 2023 dated 11.12.2023 under Section 20(b)(ii)(c) adding Sections 25 and 29 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. Anupam Das Adhikary
Mr. Dipankar Paramanick

.....Advocates

1. It is submitted on behalf of the petitioner that the petitioner was granted bail on 19.03.2024 in connection with the instant police station case but since he was being arrested in connection with other case, he could not comply and subsequently warrant of arrest was issued.
2. It is further submitted by the petitioner that several complaints have been lodged falsely implicating him but in rest of the cases he was enlarged on bail. Furthermore, the police authorities with a mala fide intention is trying to drag him in number of cases.

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 it is apparent that the order granting bail was passed on 19th March, 2024 whereby the Division Bench allowed the prayer for bail as no recovery of narcotics was found. Admittedly he could not comply with the direction since he was being arrested in connection with another case as found from the record. Hence this Court is inclined to allow the prayer.
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.]