

57. 13.01.2025
Court
No.29 (Tanmoy)

Allowed

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (NDPS) 1918 of 2024

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 **Berhampore** Police Station Case No. **1409/2023** dated **27.09.2023** under Section **21(C)/29** of the NDPS Act, 1985.

And

In the matter of: - **Sohel Rana Shaikh & Anr.**

...petitioners.

Mr. Arnab Chatterjee
Ms. Dhanasree Biswas
Ms. Poulami Bose

...for the petitioners.

Mr. Debasish Roy, Ld. PP
Mr. Arijit Ganguly
Mr. Koushik Kundu

...for the State.

Dictated by Arijit Banerjee, J.

1. The petitioners claim parity citing an order dated January 2, 2025, passed in CRM (NDPS) 1896 of 2024, whereby we had enlarged a co-accused person, namely, Gayatri Halder on *interim* bail. The petitioners say that they stand on the same footing as Gayatri Halder.
2. While opposing the prayer for bail learned State Advocate, in his usual fairness, does not dispute that these petitioners and the said Gayatri Halder are similarly circumstanced.
3. Hence on the ground of parity, we allow the petitioners' prayer for bail.
4. Accordingly, we direct that the petitioners, namely, **1. Sohel Rana Shaikh, 2. Abdul Hamid Shaikh @ Burhan** shall be

released on bail upon furnishing a bond of Rs.25,000/- (Rupees Twenty Five Thousand) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Judge, Special Court (under NDPS Act)-cum-ADJ, 5th Court, Berhampore, Murshidabad, subject to condition that 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 Bharatiya Nagarik Suraksha Sanhita, 2023, and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

5. In the event the petitioners fail to adhere to any of the conditions stipulated above without any justifiable cause, the Trial Court shall be at liberty to cancel their bail in accordance with law without further reference to this Court.
6. The application for bail being CRM (NDPS) 1918 of 2024 is accordingly disposed of.
7. Criminal Section is directed to make available urgent photostat certified copies of this order to the parties, if applied for, upon compliance with all requisite formalities.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)