

05.02.2025
Item no. 48.
Court No.29.
AB
(Allowed)

CRM (NDPS) 1992 of 2024

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 Dhubulia Police Station Case No.596 of 2023 Dated 21.11.2023 under Sections 21(c)/25/29 of the NDPS Act

And

In the matter of : Jugal Ghosh & Anr. Petitioners.

Mr. Ashok Das,
Mr. Amanul Islam,
Mr. Sourav Mukherjee,
Ms. Hasi Jana for the Petitioners.

Mr. Joydeep Biswas,
Mr. Dattatreya Dutta for the State.

Dictated by Arijit Banerjee, J.

1. The petitioners claim parity citing an order dated November 8, 2024, passed by the Hon'ble Supreme Court of India in Criminal Appeal No.4502 of 2024 as also an order dated November 20, 2024, passed by this Bench in CRM (NDPS) 1088 of 2024, whereby other accused persons have been enlarged on bail. The petitioners say that they stand on the same footing as those persons.
2. While opposing the prayer for bail, learned State Advocate, in his usual fairness, does not dispute that these petitioners stand on the same footing as the other

accused persons, who have been enlarged on bail, as aforesaid.

3. Hence, on the ground of parity, we allow the petitioners' prayer for bail.
4. Accordingly, we direct that the petitioners, namely **JUGAL GHOSH** and **MITAN DEY** shall be released on bail upon furnishing a bond of Rs.25,000/-each, 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 Krishnagar, Nadia, and on further conditions that they 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.
5. In the event the petitioners fail to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioners' bail in accordance with law without further reference to this Court.
6. The application for bail is, accordingly, allowed.
7. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)

