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05-02-2025
(ct. no.29)
S. De
(Allowed)

CRM (NDPS) 1997 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with **Goalpokher Police Station Case No. 84 of 2022 dated 01.03.2022 under Sections 21(c)/29** of the Narcotic Drugs & Psychotropic Substances Act 1985.

- A n d -

In the matter of : Mohammad Sohel @ Md. Sohail @ Sohail @ Sohel. Petitioner.

Mr. Navanil De,
Mr. Srinjan Ghosh,
Mr. Showmilya Mazumder, ... For the Petitioner.

Mr. Ronobir Roy Chowdhury,
Mr. Nirupam Dhali, ... For the State.

Order dictated by Arijit Banerjee, J.

1. The petitioner claims parity. He cites an order dated November 20, 2024, passed by this Bench in CRM (NDPS) 1642 of 2024, whereby a co-accused person was granted interim bail. Such order of interim bail was confirmed by an order dated January 21, 2025. The petitioner says that he stands on the same footing as that other accused person by the name of Amir Mahammad.
2. Learned State advocate, while opposing the prayer for bail, in his usual fairness, does not dispute that this petitioner is similarly circumstanced as the co-accused person named above who was granted bail.
3. Hence, on the ground of parity, we allow this bail application.
4. Accordingly, we direct that the petitioner, namely, **Mohammad Sohel @ Md. Sohail @ Sohail @ Sohel** shall be released on bail upon furnishing a bond of Rs. 25,000/ 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), Raiganj, Uttar Dinajpur, subject to the condition that the petitioner shall remain within the jurisdiction of the concerned Police Station and shall meet the Officer-in-Charge/Inspector-in-Charge of the concerned Police Station, once in a fortnight until further orders

5. The petitioner 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 in any manner whatsoever.
6. In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this court.
7. The application for bail is, accordingly, allowed.
8. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)