

64.
05-02-2025
(ct. no.29)
debajyoti
(allowed)

CRM (NDPS) 2008 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure/483 of the Bhartiya Nagarik Suraksha Sanhita in connection with NCB Crime No.04 of 2023 and NDPS Case No.02 of 2023 under Section 8(c) read with Sections 20(b)(ii)(C) and 29 of the Narcotic Drugs and Psychotropic Substances Act.

- A n d -

In the matter of : Papu Yadav

.... Petitioner.

Mr. Ashok Das,
Mrs. Hasi Jana,
Mr. Shreyash Mondal

... For the Petitioner.

Mr. Anjan Sengupta,
Mr. Sagar Saha

... For N.C.B.

Dictated by Arijit Banerjee, J.

1. Status report filed by Narcotics Control Bureau (NCB) is taken on record. We find that only one out of five charge sheet named witnesses has been examined, that too, in part.

2. In any event, the petitioner claims parity citing an order dated December 13, 2024 passed by a coordinate Bench in CRM (NDPS) 1876 of 2024 whereby a co-accused person by the name of Nitish Kumar was enlarged on bail primarily on the ground of delay in trial and lengthy detention in judicial custody. The petitioner says that he stands on the same footing.

3. Learned advocate for NCB, while opposing the prayer, in his usual fairness, does not dispute that the

petitioner is similarly circumstanced as the said Nitish Kumar insofar as the issue of delay in trial and period of detention is concerned.

4. Hence, on the ground of parity, we allow the petitioner's prayer for bail.

5. Accordingly, we direct that the petitioner, namely, **Papu Yadav**, shall be released on bail upon furnishing a bond of Rs.25,000/- (Rupees Twenty Five Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of learned Judge, Special Court under NDPS Act, Howrah. 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. The petitioner shall remain within the territorial limits of Howrah Police Station except for the purpose of attending the court proceedings and shall appear before the Officer-in-Charge/Inspector-in-Charge of Howrah Police Station once in every week, until further orders. The petitioner shall, through his learned advocate, inform the learned trial Court, the office of NCB and Howrah Police Station his current local address at Howrah where he shall be residing while on bail.

6. In the event the petitioner fails to comply with any of the conditions stipulated above, the trial Court shall be at liberty to cancel the bail in accordance with law without further reference to this Court.

7. The application for bail is, thus, disposed of.

8. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

9. Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)