

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

17.02.2025
Court No.01
rpan / 07

CRM (NDPS) 52 of 2025

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Bhaktinagar Police Station Case no. 1135 of 2024 dated 04.12.2024 under Sections 21(c)/22(c)/25/29 of the Narcotic Drugs and Psychotropic Substances Act [NDPS Case No.76 of 2024];

And

In Re: Dulal Barman

- Petitioner

Mr. Hillol Saha Podder
... for the Petitioner.
Mr. Nilay Chakraborty, Ld. APP
Mr. Kallol Nag
... for the State.

Having considered the materials on record and bearing in mind the nature of allegations in the light of the submissions, as advanced and in view of the fact that the petitioner's name has transpired on the basis of a co-accused statement, we are of the opinion that rigors of Section 37 of the NDPS Act are not attracted and as such, further detention of the petitioner, who has already suffered incarceration for 45 days, is not necessary.

Accordingly, we direct that the petitioner, namely, **Dulal Barman** shall be released on bail upon furnishing a bond of Rs.10,000/- 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), 1st Court, Jalpaiguri. It is further directed that the petitioner shall not

intimidate/influence the witnesses or tamper with evidence in any manner whatsoever.

It is made clear that in the event the petitioner fails to comply with the aforesaid directions without any justifiable cause, the learned trial Court would be at liberty to cancel his bail without any further reference to this Court.

The application for bail, being CRM (NDPS) 52 of 2025 is, accordingly, disposed of.

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

(Prasenjit Biswas, J.)

(Tapabrata Chakraborty, J.)