

09.06.2025
Serial no. 15
[G.S.D]

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI**

CRM (NDPS) 171 of 2025

In re : An Application for **Bail** under Section **483** of the BNSS, 2023 in connection with **C.R. (NDPS) Case No. 77 of 2024 arising out of Phansidewa P.S. Case No. 413 of 2024 dated 18.10.2024 under sections 20(b)(ii)(c)/29 of the NDPS Act, 1985.**

-And-

In the matter of : Kunal Kumar Yadav & Anr.
... Petitioner(s)

Mr. Hillol Saha Podder

... for the petitioner(s)

Mr. Kallol Acharjee
Mr. Biswarup Roy

... for the State

The petitioners are in custody since 18th October, 2024. The recovery in this case is 24 kg(s) of *ganga*. The investigating agency on conclusion of investigation has already submitted charge-sheet.

Learned advocate for the petitioners prays for bail on the ground of the period of custody suffered and the investigation having been concluded.

Learned advocate for the State opposes the prayer for bail of the petitioners as from the possession of the petitioners recoveries were effected.

Be that as it may, I have considered the period of detention of the petitioners as well as the quantity which have been seized.

Having regard to the same, I am of the view that further detention of the petitioners may not be warranted in connection with the instant case, as such, the prayer for bail of the petitioners is **allowed**.

Accordingly, it is directed that the petitioners may be released on bail on such amount of bond which would be fixed by the learned Special Court. However, it is clarified that the learned Special Court would ensure that the local surety must be an individual within the jurisdiction of the learned Special Court, who would submit his/her title deed for the purposes of this case before the learned Special Court or to the Court so directed by the learned Special Court which would be retained till the end of the trial.

It is also directed that the petitioners shall make themselves physically available before the learned trial Court on each and every date of the trial and/or the date so fixed by the learned Trial Court.

In case, there is any violation of the conditions aforementioned, the learned Special Court would be entitled to cancel the bail without further reference to this Court.

Accordingly, CRM(NDPS) 171 of 2025 is disposed of.

Pending application(s), if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)