

01.07. 2025
Item No.15
KB
Ct. No. 3

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

C.R.M (NDPS) 202 of 2025

In re: An application for post arrest bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Phansidewa Police Station Case No. 267 of 2024 dated 11.07.2024 under Section 20(b)(ii)(c) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 corresponding to C.R (NDPS) Case No. 53 of 2024.

And

In Re : **Kamal Barman** ... Petitioner.

Mr. Subham Ghosh,
Mr. Mayank Roy ...for the petitioner.
Mr. Abhijit Sarkar,
Mr. Biswaroop Roy ...for the State.

This is an application for bail.

The present petitioner is in custody of 355 days. He submits that the investigation of police ended in charge-sheet. The chemical examination report has already been submitted. Other two charge-sheeted co-accused persons were granted bail by this Court. The present petitioner is standing on the same footing. So, he prayed for bail on any condition.

Learned Advocate appearing on behalf of the State raised strong objection and submits that the merit of grounds of arrest is under challenge before the Hon’ble Apex Court and yet to be decided.

However, State further submits, the investigation is ended in charge-sheet and other co-accused persons are already in bail.

Having heard learned counsel for the parties and considering the fact that other two co-accused persons were enlarged on bail by Co-ordinate Benches of this Court in CRM (NDPS) No. 126 of 2025 and CRM (NDPS) No. 114 of 2025, it appears to me that the present petitioner is standing on the same footing. Accordingly, he deserves similar order.

Under the above circumstances, the prayer of bail is considered and allowed.

The petitioner, namely Kamal Barman may fine bail of Rs.10,000/- (Rupees Ten Thousand Only) with two registered sureties, one of whom must be local, subject to satisfaction of learned Special Court (NDPS) cum learned Additional Sessions Judge, 2nd Court, Siliguri with a condition that he must appear before the learned Special Judge on each and every date.

The application for bail being CRM (NDPS) No. 202 of 2025 is, thus, disposed of.

Parties to act upon the server copy and urgent certified copy of this order be provided on usual terms and conditions.

(Subhendu Samanta, J.)