

11.06.2025
Serial no. 10
[G.S.D]

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

CRM (NDPS) 214 of 2025

In re : An Application for **Bail** under Section **483** of the BNSS, 2023 in connection with **NDPS Case No. 11 of 2023 arising out of Reang Police Station Case No. 31 of 2023 dated 06.05.2023 under Section 22(c) of the NDPS Act, 1985.**

-And-

In the matter of : Pragyan Rai

... Petitioner(s)

Mr. Gopal Roy
Ms. Rishita Chakraborty

... for the petitioner(s)

Mr. Abhijit Sarkar
Ms. Namrata Das

... for the State

Learned advocate for the petitioner has made available the copies of the evidence of the independent witnesses being P.W.3 (Naresh Gurung) and P.W.4 (Bimal Kujur).

Learned advocate has relied upon the evidence which has surfaced in cross-examination and emphasised that seizure which is claimed by the prosecution is questionable in view of the evidence which has been deposed by the independent witnesses, as such, the petitioner may be released on bail.

Learned advocate for the State opposes the prayer for bail and submits that commercial quantity of contraband were seized from the possession of the petitioner. Learned advocate also submits that the earlier rejection order passed in CRM (NDPS) 854 of 2023 has been suppressed by the petitioner, further the petitioner happens to be a resident of Sikkim, as such, there is every possibility of the petitioner fleeing away from the process of law.

I have considered the evidence so relied upon by the present petitioner, stage of the case and the petitioner being detained since 6th May, 2023.

Having regard to the period of detention of the petitioner which is more than two years, I am inclined to release the petitioner on bail.

Accordingly the prayer for bail of the petitioner is **Allowed** with conditions that the petitioner would furnish bond to the satisfaction of the learned Special Court with two sureties of like amount each one of which must be a local surety. It is categorically stated that the local surety must be a person who would furnish title deed of a property which would be kept in custody of the court till the trial of the case is over. The petitioner would also make himself physically available on each and every date of the trial so fixed by the learned trial court and shall cooperate with the learned trial court in progress of the trial of the case.

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

Accordingly, CRM(NDPS) 214 of 2025 is disposed of.

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

Photostat copy of the evidence so supplied by the petitioner be kept with the record.

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.)