

18.06.2025
Serial no. 14
[G.S.D]

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

CRM (NDPS) 262 of 2025

In re : An Application for **Bail** under Section **483** of the BNSS, 2023 in connection with **Special GR Case No. 04 of 2025 arising out of Jorebunglow P.S. Case No. 25 of 2025 dated 29.04.2025 under sections 22(b)/25/27/29** of the NDPS, 1985.

-And-

In the matter of : Dipu Thapa & Anr.

... Petitioner(s)

Mr. J. Pariwal
Ms. A. Pradhan

... for the petitioner(s)

Mr. Nilay Chakraborty
Mr. Aniruddha Biswas

... for the State

Learned advocate for the petitioners submits that the petitioners are in custody since 5th May, 2025 and there has been no recovery from the present petitioners.

It has further been pointed out that the seizures so effected from the principal accused is of intermediate quantity. Learned advocate submits that since charge-sheet has already been submitted, further detention of the petitioners is unwarranted.

Mr. Chakraborty, learned advocate for the State, on the other hand, submits that so far as the principal accused

is concerned, he is a history-sheeter and there are previous cases against him. So far as the petitioner no.1 is concerned, his vehicle was used in the commission of alleged offence. There is a statement of his father-in-law, to that effect that although the vehicle belongs to him but the same was used by his son-in-law, namely, Dipu Thapa.

So far as the petitioner no.2 is concerned, according to the prosecution, he has given shelter to the accused who had fled away.

Having considered the fact that so far as the petitioners are concerned, no recovery have been effected and the investigation has already been completed, I am of the view that further detention of the petitioners are not warranted.

Accordingly, prayer for bail of the petitioners is **Allowed.**

Accordingly, the petitioners be released on **bail** with conditions that the petitioners would furnish bond of Rs.10,000/- (Rupees Ten thousand only) each, with two sureties of like amount each, one of whom must be a local, to the satisfaction of the learned Special Judge under the NDPS Act, Darjeeling. It is categorically stated that the local surety must be of a person residing within the jurisdiction of the learned Special Judge, NDPS Act, Darjeeling 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. If on bail the petitioners should not enter into the district of Darjeeling and would be permitted to enter only on the date so fixed by the learned Special Judge for the purposes of attending the Court in connection with Special GR Case No. 04 of 2025 arising out of Jorebunglow P.S. Case No. 25 of 2025.

Learned Special Court is also directed that in case of any non-compliance of the aforesaid conditions, the learned Special Court would be at liberty to cancel the bail without further reference to this Court.

Accordingly, CRM(NDPS) 262 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.)

