

19.06.2025
Serial no. 17
[G.S.D]

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

CRM (NDPS) 263 of 2025

In re : An Application for **Bail** under Section **483** of the BNSS, 2023 in connection with **Special NDPS Case No. 12 of 2024 arising out of Kalimpong P.S. Case No. 112 of 2024 dated 04.09.2024 under sections 21(C)/29 of the NDPS Act, 1985.**

-And-

In the matter of : Rupahas Tamang & Anr.

... Petitioner(s)

Mr. Sourav Ganguly
Ms. R. Chakraborty
Mr. B. K. Nandi

... for the petitioner(s)

Mr. Nilay Chakraborty, Id. APP
Mr. Kallol Nag

... for the State

Learned advocate for the petitioners submits that from the three accused persons 1300 ml of cough syrup were recovered and the present petitioners are in custody since 3rd September, 2024.

Additionally, it has been submitted that although charge-sheet has been submitted but, till date, charge has not been framed, as such, the petitioners may be released on bail.

Learned advocate for the State opposes the prayer for bail and submits that date has been fixed for consideration of charges on 10th July, 2025.

I find from the records of the case that there are 15 witnesses on which the prosecution has relied upon to prove its case.

Having regard to the fact that 15 witnesses are to be examined, I am of the view that there is no scope of the trial being completed in near future, as such, I am inclined to enlarge the petitioners on bail

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

As such, the petitioners be released on **bail** upon furnishing bond to the satisfaction of the learned Special Court with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Special Court, NDPS Act, Kalimpong. The amount of bond would be fixed by the learned Special Court. It is categorically stated that the local surety must be of a person residing within the jurisdiction of the learned Special Court, NDPS Act, Kalimpong 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 petitioners shall make themselves available on each and every date of the trial before the learned trial court and shall cooperate with the progress of the trial. The

petitioners during the trial shall not leave the jurisdiction of Kalimpong district without prior permission from the learned Special Court.

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) 263 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.)

