

44
10.07.2025
Ct.No.2
b.das
Allowed

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
Criminal Miscellaneous Jurisdiction

C.R.M. (NDPS) 294 of 2025

In Re : An application for bail under Section 483 of the BNSS, 2023 filed in connection with NJP PTN P.S. Case No. 32 of 2025 dated 16.01.2025 under Section 21 (c) of the NDPS Act.

And

In Re : **Sayem Seikh @ Sayem Sk.**

... Petitioner.

Mr. Prajandeepta Roy

Mr. Nasir Ali

Mr. Debjyoti Goswami

Mr. Ranjan Raj

... for the Petitioner.

Mr. Ujjwal Luksom

Mr. Biswarup Roy

... for the State.

The petitioner seeks parity with co accused who has been granted bail by this Court earlier.

Learned counsel for the State opposes the prayer.

I have perused the material on record. It appears that the FIR does not suggest any recovery from the petitioner. Though the seizure list prima facie suggests recovery of contraband articles from the joint possession of the petitioner and others, the contention of the FIR varies from the seizure list.

In view of the material available against the petitioner, this Court is inclined to hold that the petitioner has been

able to rebut the statutory restriction under Section 37 of the NDPS Act and is entitled to bail.

Accordingly, prayer for bail is allowed.

The petitioner namely **Sayem Seikh @ Sayem Sk.** be released on bail upon furnishing bond of Rs.20,000/- (Rupees Twenty Thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Jalpaiguri subject to condition that he shall remain within the jurisdiction of NJP P.S. and shall furnish the address where he shall henceforth reside before the learned trial Court, investigating officer and the Officer in charge of the concerned P.S under whose jurisdiction he shall presently reside. The petitioner shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to adhere to any of the conditions as stated above without justifiable cause, the learned trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail is thus disposed of.

Case Diary be returned.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

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

(Suvra Ghosh, J.)