

28.07.2025
Item No.25
Ct. No. 03
KS

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
CRIMINAL MISCELLANEOUS JURISDICTION**

C.R.M.(NDPS) 312 of 2025

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Mirik** Police Station Case No.30 of **2025** dated **22.06.2025** under Sections **21(b)/22(b)/29** of the Narcotic Drugs and Psychotropic Substances Act corresponding to G.R. Case No.8 of 2025.

And

In the matter of: **Babai Ghosh**

.....Petitioner

Mr. Debasish Mukhopadhyay

Ms. Srishti Sarker

....For the Petitioner

Mr. Aditi Shankar Chakraborty, Ld. A.P.P.

Mr. Aniruddha Biswas

.....For the State

1. Learned counsel appearing on behalf of the petitioner has submitted that the petitioner is in custody for more than 40 days and has submitted that three persons including the petitioner were travelling by a Scooty and after being intercepted, 13 grams of contraband article was recovered.
2. Learned counsel appearing on behalf of the State has conceded the fact that volume of contraband articles was not of commercial quantity but however has raised his formal objection against the grant of the prayer for bail.
3. I have perused the Case Diary and have gone through the status report submitted by the State. The status report be kept with the record.
4. Accordingly, I direct that the petitioner is being enlarged on bail upon furnishing bond of Rs.10,000 (Rupees Ten Thousand Only) each with the surety, one of whom must be local to the satisfaction of the Learned Special Judge under the N.D.P.S. Act, Darjeeling subject to the further condition that he shall meet the Investigating Officer once in a fortnight till the submission of charge-sheet. It is further added that upon filing of

charge-sheet, the petitioner shall appear before the learned Trial Court on every date of hearing until further orders and shall not tamper with the evidence in any manner whatsoever. The petitioner shall also not leave the jurisdiction of the concerned district without obtaining prior permission of the learned Trial Court or until further orders.

5. In the event, the petitioner fails to comply with any of the conditions as mentioned 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.
6. With this aforesaid observation, the application for bail is, accordingly, allowed.
7. As a sequel, the application being, **C.R.M.(NDPS) 312 of 2025** stands disposed of.
8. All parties shall act on the server copies of this order duly downloaded from the official website of this Court.
9. Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance of the requisite formalities.

(Bibhas Ranjan De. J.)

