

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

**25.02.2026
Sl. no.17
Ct. No. 6
(Susanta)**

**C.R.M. (NDPS) 458 OF 2025
With
I.A. No. CRAN 1 of 2026**

In Re : An application for bail under Section 439 of the Code of Criminal Procedure, 1973 corresponding to Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 in connection with CR(NDPS) case No. 22 of 2025 arising out of Pradhannagar Police Station, District-Darjeeling Case No.84/2025 dated 04.02.2025 under Sections 21(c)/22(c)/29 of NDPS Act.

And

In the matter of : **Shiben Dastidar & Anr.**

.... Petitioners

Mr. Sushma Giri,
Md. Sohaib Akhtar,
Mr. Bibhash Kumar Nandi,

.... For the petitioners.

Mr. Aditi Shankar Chakraborty, Ld. APP,
Mr. Biswarup Roy,

... for the State.

Re: **CRAN 1 of 2026**

The present application has been filed for modification of the order dated 22nd December, 2025 passed by a Co-ordinate Bench of this Court.

Learned counsel for the petitioner submits that CRAN 1 of 2026 was filed on behalf of the petitioners, namely, Shiben Dastidar and Babulal Prasad.

The Co-ordinate Bench of this Court vide order dated 22nd December, 2025 disposed of the petition and allowed the bail plea.

However, learned counsel submits that in the last para, the learned trial court used the word “petitioner” instead of “Petitioners” and also did not mention the name of the petitioners.

Learned counsel submits that on account of this fact, the learned trial court has accepted the bail bond of Shibben Dastidar but did not accept the bail bond of petitioner no. 2, Babulal Prasad.

Learned counsel for the petitioner submits that since the CRM(NDPS) 458 of 2025 was disposed of vide order dated 22nd December 25 and there is no mention that the bail plea of only petitioner no. 1, viz. Shibben Dastidar is allowed it seems to be a typographical mistake.

Learned counsel for the State submits that the bail petition was disposed of by the common order and there seems to be a typographical error in the last para of the order.

The Court has gone through the record.

As being submitted by the petitioners there is no mention in the order dated 22nd December, 2025 that bail plea of petitioner no. 2, viz. Babulal Prasad has been rejected, therefore, it seems to be a typographical error.

Let the last para of the order dated 22nd December, 2025 be read as under:-

“The petitioners, **viz. Shibben Dastidar** and **Babulal Prasad** be granted bail upon furnishing a bond of Rs. 30,000/- with two sureties of like amount each, one of whom must be

local, to the satisfaction of the learned Additional Sessions Judge, 2nd Court cum special Judge under NDPS Act at Siliguri, District-Darjeeling, subject to the condition that the petitioners shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses nor tamper with evidence in any manner whatsoever.

With this observation CRAN 1 of 2026 is disposed of.

The remaining content of the order dated 22nd December, 2025 shall remain the same.

Urgent photostat certified copy of this order, duly applied for, be given to the parties upon compliance of all usual requisite formalities.

(Dinesh Kumar Sharma, J.)