

25.03.2026

Serial no. 64

[24]

(Bail **allowed**)

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

CRM(NDPS)/134/2026

In re: An Application for Bail under Section 439 of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Special NDPS Case No. 22/2022** corresponding to **Kalimpong** Police Station Case No. **260** of **2022** dated **24.09.2022** under Sections **22(c)** of the NDPS Act, 1985.

-And-

In the matter of : SURAKSHA CHHETRI

... .. Petitioner

*Mr. Avinash Kalikotey,
Mr. Mayank Bhandari,
Mr. Nishant Nav Rasaily, Advocates
... .. For the Petitioner*

*Mr. Aditi Shankar Chakraborty,
Mr. Tapan Bhattacharjee, Advocates
... ..For the State*

1. Report as called for by the order dated March 19, 2026 filed in Court be taken on record. Custody of the petitioner is slightly in excess of 1270 days. Trial is in progress. Prosecution proposed to examine 14 witnesses. Out of such 14 witnesses only 9 prosecution witnesses were examined.
2. Report as called for by the order dated March 19, 2026 states that, on 15 occasions, prosecution witnesses did not appear without any cause, on 8 occasions, witnesses did not appear due to non-receipt of summons from the learned Court, on 4 occasions, police witnesses were unable to attend trial due to other engagement, on 2 occasions, witness examination were deferred and on 2

occasions witnesses were not examined as regular Presiding Officer was on leave or absent.

3. There is hardly any likelihood of the trial concluding any time soon.
4. Considering the period of custody of the petitioner and on the overarching reach of Article 21 of the Constitution of India, I deem it appropriate to grant bail to the petitioner.
5. Accordingly, I direct that the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Judge, Special Court (NDPS), Kalimpong subject to condition that the petitioner shall appear before the learned trial court on every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.
6. In the event, the petitioner fails to comply with the conditions as enshrined hereinbefore, it is open to the trial court to cancel the bail without further reference to this Court.
7. The prayer for bail of the petitioner is **allowed**.
8. CRM(NDPS)/134/2026 is disposed of.

(Debangsu Basak, J.)