

11.02.2026

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jdt.

Allowed

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

C.R.M. (NDPS) 553 of 2025

In Re : An Application for bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 filed in connection with Kalchini
Police Station Case No. 79 of 2024 dated 20.06.2024 under
Sections 21(c)/29 of the Narcotic Drugs and Psychotropic
Substances Act.

And

In Re : Sourav Mahali @ Saurav

Mr. Sourav Ganguly
Ms. Rishita Chakraborty
Mr. Bibhash Kr. Nandi

... For the Petitioner.

Mr. Saikat Chatterjee
Mr. Chatu Roy

... For the State

Heard learned counsels for the parties.

The petitioner is in custody for more than 600 days and
seeks bail primarily on the ground of prolonged incarceration.

Learned counsel for the State raises strong objection.

It appears that the petitioner is in custody for more than
600 days. Though charge sheet has been submitted, one of the co-
accused is still absconding. The trial Court is also lying vacant.
There is remote possibility of trial being concluded in near future.

Learned counsel for the petitioner has referred to several
orders passed by Hon'ble Supreme Court granting bail to the
accused solely on the ground of delay in trial.

It is a fact that almost 14000 pieces of PYN spas capsules were recovered from the possession of the petitioner. Without going into the merits of the case, this Court is inclined to release the petitioner on bail solely on the touchstone of Article 21 of the Constitution of India.

Accordingly, the prayer for bail is allowed.

The petitioner namely Sourav Mahali @ Saurav shall 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 Additional District and Sessions Judge (NDPS), Alipurduar subject to condition that he shall remain within the jurisdiction of the learned trial Court and shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court. He shall not tamper with evidence or intimidate witnesses in any manner whatsoever.

In the event the petitioner fails to adhere to any of the conditions stated hereinabove, 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 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.)