

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

**23.02.2026
Sl. no. 39
Ct. No. 6
P.M.
(ALLOWED)**

C.R.M. (NDPS) 664 OF 2025

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 New Jalpaiguri Police Station Case No. 501 of 2023 dated 30.05.2023 under Sections 20(b)(ii)(c)/27A/28/29 of the NDPS Act.

And

In the matter of : **Pappu Modak.**

.... Petitioner

Mr. Sandip Guha Roy,
Mr. Ananda Paul

.... For the petitioner

Mr. Aditi Shankar Chakraborty, Ld.APP
Mr. Nilay Chakraborty, Ld. APP
Mr. Bhaskar Das

... for the State

The present petition has been filed for release of bail of Pappu Modak.

Learned counsel submits that the petitioner is in custody since 19th April, 2025. Learned counsel submits that the other co-accused persons are already on bail. It has been submitted that the co-accused Samit Das was granted bail by this Court by detailed order in CRM(NDPS) 525 of 2024 dated 28th November, 2024. Learned counsel, therefore, prays for grant of bail.

Learned counsel for the State has opposed the bail application on the ground that the case of the present petitioner

stand on a different footing as he was absconding and was arrested with great difficulty on 19th April, 2025, after his bail was cancelled on the ground of concealment of material facts regarding the earlier rejection of bail application by the superior court.

It is a matter of record that the other accused person's bail were also cancelled on the same ground. The only different is that co-accused Samit Das who surrendered and the present petitioner was arrested after absconding.

Be that as it may, the petitioner is in custody since 19th April, 2025. The trial is yet to take place. The co-ordinate Bench of this Court has considered the bail plea of other co-accused persons favourably. The State has not pointed out anything which makes the case of the present petitioner more grave in any manner.

Thus taking into the facts and circumstances of this case the petitioner is released on bail of Rs. 25,000/- with two sureties of the like amount, one of whom must be local, to the satisfaction under the NDPS Act Jalpaguri subject the condition that the petitioner shall appear/attend the trial regularly before the learned Trial Court and at any point of time shall not threaten, tamper or intimidate the complainant or members of the family in any manner or whatsoever commit similar offence in future. The petitioner shall not leave the jurisdiction of the learned Trial court until further orders. In

case the petitioner violates any such condition the prosecution is at liberty to move for cancellation of bail.

This application being CRM (NDPS) 664 of 2025 stands disposed of.

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.)