

NDPS – 13 of 2022(13)

Order no.39

Dt. 05/08/2023

The record is fixed for production, appearance, framing of charge and hearing the bail petition.

Out of two accused persons, the accused person, namely, Tarun saha on c/b is present by filing late hazira. While another accused, namely, Manoranjan Sarkar, is produced from J/C today.

Ld. Advocate for the accused, namely Manoranjan Sarkar, submits and prays for bail today.

Ld. P.P.- In-Charge is present today and raised objection for bail as the C.D. is not available with him as the same is lying with the Hon'ble High Court Calcutta in the Circuit Bench at Jalpaiguri.

It appears that the Hon'ble High Court of Calcutta in C.R.M. (NDPS) No. 527 of 2023, has been pleased to enlarge the principal accused, on bail, from whom recovery was made. Present accused has been arrested subsequently and no recovery was made from his possession. In view of the findings of Hon'ble High Court in C.R.M. (NDPS) NO.527 of 2023, it would be appropriate to grant the present accused on bail on the following conditions that the petitioner, namely, Manoranjan Sarkar shall be released on bail upon furnishing a bond of Rs. 20,000/-, with two registered sureties of Rs. 10,000/ each, to the satisfaction of Ld. C.J.M. Jalpaiguri, on condition that the present petitioner shall appear before the learned trial Court on each date of substantive hearing subject to the provisions of section 317 of the Code of Criminal Procedure, 1973, with a further condition that the present petitioner shall remain in the jurisdiction of learned trial Court till conclusion of trial unless such conditions have been relaxed by the learned trial court. .

In the event the petitioner fails to adhere to any of the conditions stipulated above without any justifiable cause, the learned trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to it.

Let a copy of this order be sent to the court of Ld. C.J.M. Jalpaiguri for information and taking necessary action.

Fix: 28-09-2023 for appearance of the accuseds and framing of charge.

D/C by me

Judge Special Court
(Under NDPS Act)
1st Court, Jalpaiguri.

