

08
14.02.2025
Ct. No. 1
Jayanta

**CALCUTTA HIGH COURT CIRCUIT BENCH
AT JALPAIGURI**

CRM (NDPS) 39 of 2025

In Re: An application for bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 filed in connection with
Phansidewa Police Station Case No. 440/2024 dated
02.11.2024 under Sections 21(c)/25/29 of the Narcotic Drugs
and Psychotropic Substances Act, 1985;

And

**In Re : Ravindra Kumar
@ Shyam Kumar @ Raju**

.....Petitioner

Mr. Hillol Saha Poddar

.....for the Petitioner

**Mr. Niloy Chakraborty, Ld. APP
Mr. Kallol Nag**

.....for the State

Mr. Saha Poddar, learned advocate appearing for the
petitioner submits that the petitioner has been falsely
implicated. His name has transpired on the basis of co-
accused statement. He has already suffered incarceration for
about 88 days and in the said conspectus further detention
may not be necessary and he may be enlarged on bail on
any stringent condition. Reliance has been placed upon an
unreported decision in the *Bail Application No. 2769/2023*,
Sh. Braham Singh-vs-State of Nct of Delhi, dated 29th
January, 2024.

Mr. Chakraborty, learned Additional Public Prosecutor
appearing for the State submits that the petitioner had

telephonic conversation with the driver of a vehicle from which contraband substance above commercial quantity was recovered. In view thereof, the nexus of the petitioner with the person arrested cannot be ruled out at this stage moreso when, investigation is still continuing.

Prima facie, there had been no recovery of contraband substance from the possession of the petitioner and his name has transpired on the basis of co-accused statement. In view thereof, the statutory restrictions are not attracted. In the absence of any incriminating material, we are of the opinion that the CDR details pertaining to the petitioner may not be a ground for further detention who had already suffered incarceration for about 88 days.

Accordingly, we direct that the petitioner, namely, **Ravindra Kumar @ Shyam Kumar @ Raju**, shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Judge Special Court (NDPS), 2nd Court, Siliguri, with further conditions that till completion of investigation, he shall meet with the investigating officer once a week and shall not leave the jurisdiction of Phansidewa Police Station. He shall also intimate the address where he would be residing to the

Officer-in-charge, Phansidewa Police Station within three days.

It is further directed that the petitioner shall not influence the witnesses and/or tamper with the evidence in any manner whatsoever.

It is made clear that in the event the petitioner fails to comply with any of the aforesaid directions, without justifiable cause, the learned Court below shall be at liberty to cancel his bail without any further reference to this Court.

The application for bail, being CRM (NDPS) 39 of 2025 is, accordingly, **disposed of**.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Prasenjit Biswas, J.)

(Tapabrata Chakraborty, J.)