



ITEM NO.13

COURT NO.7

SECTION II-B

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.)
No(s).9148-9149/2026

[Arising out of impugned final judgment and order dated 24-04-2026 in CRM (NDPS) No. 1384/2025 24-04-2026 in CRM (NDPS) No.2434/2025 passed by the High Court at Calcutta]

SURAJ MAHANANDA

Petitioner(s)

VERSUS

STATE OF WEST BENGAL

Respondent(s)

IA No. 151229/2026 - EXEMPTION FROM FILING C/C OF
THE IMPUGNED JUDGMENT

Date : 27-05-2026 This matter was called on for
hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Petitioner(s) :Mr. Sukesh Ghosh, Adv.
Mr. Toslim Ali, Adv.
Mr. Rajesh Kumar Singh, Adv.
Ms. Sadhana Sandhu, AOR

For Respondent(s) :Mr. Parag Chaturvedi, Adv.
Mr. Kunal Mimani, AOR

UPON hearing the counsel the Court made
the following
O R D E R

1. The petitioner has been denied regular bail by the High Court in connection with the First Information Report No.477/2024 registered with Sankrail Police Station, Sub-Division Howrah, District Howrah for the offence punishable under Sections 21(c) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, "the NDPS Act") respectively.

2. We heard Mr. Sukesh Ghosh, the learned counsel appearing for the petitioner and Mr. Parag Chaturvedi, the learned counsel appearing for the State.

3. We take notice of the fact that the petitioner is in judicial custody as an under-trial prisoner past 1 year and 10 months. We also take notice of the fact that till this date, only 01 witness has been examined. More importantly, the co-accused Babu Chatterjee @ Dipendera Narayan Chatterjee, similarly situated like the present

petitioner is on bail.

4. The learned counsel appearing for the State would vehemently submit that Babu Chatterjee obtained bail by making false statement before the Court that almost 25 witnesses are to be examined whereas only 13 witnesses are to be examined.

5. If it is the case of the State that Babu Chatterjee, the co-accused obtained bail by suppressing the true facts before the High Court, then the High Court should have considered the application preferred by the State for cancellation of bail of Babu Chatterjee.

6. We fail to understand why the High Court says that a coordinate Bench cannot cancel the bail granted to an co-accused. If the bail has been obtained by placing wrong facts before the High Court, the Court can always look into the matter and pass an appropriate order.

7. Be that as it may, today, the fact is that Babu Chatterjee @ Dipendra Narayan Chatterjee is very much on bail.

8. In view of the aforesaid, we order that the petitioner be released on bail forthwith, if not required in any other case, subject to terms and conditions that the Trial Court may deem fit to impose. Trial shall proceed further expeditiously.

10. With the aforesaid, the Special Leave Petitions stand disposed of.

11. Pending application(s), if any, shall also stand disposed of.

(HARPREET KAUR)
COURT MASTER (SH)

(POOJA SHARMA)
COURT MASTER (NSH)