

Party Name : BISWAJIT CHAKRABORTY ON BEHALF OF ACCD. KHOKAN CHAKRABORTY
Vs THE STATE OF TRIPURA

HONBLE THE CHIEF JUSTICE DEEPAK GUPTA

This application for grant of bail has been filed by the applicant Sri Biswajit Chakraborty on behalf of accused **Sri Khokan Chakraborty** in connection with Arundhuti Nagar P.S. Case No.9 of 2015 registered under Section 21(C) of NDPS Act.

The prosecution story briefly stated is that on 25.3.2015 information was received from secret source that an unknown person was illegally transporting codeine based cough syrup by a vehicle from Nagerjala Motor Stand, Agartala for selling/smuggling purpose. On the basis of this secret information an 'Auto' bearing No.TRA-01-A-3681 was stopped near A.D. Nagar Drop Gate and one carton containing 138 numbers of codeine phosphate based RC-Kuff cough syrup was recovered from the possession of the accused Khokan Chakraborty.

The accused has been behind bars for 101 days. The amount of codeine based cough syrup may be a commercial quantity but it is apparent that the accused is not a big time smuggler but is probably a carrier working on behalf of the smuggling kingpins. He was carrying only one carton and, therefore, without going into the merits of the case, keeping in view the fact that the investigation is complete and also keeping in view of the fact that the trial is likely to take a long time and the accused is a young person having his wife and minor children, I direct that the accused person be released on bail on his furnishing bail bond of **Rs.10,000/- (Rupees ten thousand)** with one surety of the like amount to the satisfaction of the trial Court subject to the following terms and conditions :

- (i) That, the accused person is directed not to tamper with or in any manner influence the prosecution witnesses;
- (ii) That, the accused shall ensure that no threat directly or indirectly is given to any of the prosecution witnesses;
- (iii) The accused is further directed not to cause any hindrance in the investigation;
- (iv) The accused shall not leave Tripura without permission of the appropriate Court;
- (v) The accused shall appear before the trial Court on each and every date of hearing;
- (vi) In case, the accused violates any of the conditions or try to delay the trial, the prosecution shall be at liberty to approach this Court for cancellation of bail.

The bail application is disposed of in the aforesaid terms.

On the applicant filing application for supply of the copy on payment of appropriate fees, the copy of the same shall be supplied to the applicant by tomorrow.