

Party Name : MANIK LAL PAL Vs THE STATE OF TRIPURA

---

HONBLE THE CHIEF JUSTICE DEEPAK GUPTA

---

This is an application for grant of anticipatory bail filed by the petitioner Maniklal Pal in respect of Dharmanagar P.S. case No.51 of 2015 registered under section 22(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (NDPS Act).

The prosecution story, briefly stated, is that the police had prior secret information that the petitioner Maniklal Pal was engaged in selling narcotic drugs, especially cough syrups and he used to smuggle the same to Bangladesh. Thereafter, S.I. Prasanta Das accompanied with the SDPO and other police staff arrived at the house of Maniklal Pal. The petitioner was not present in his house. The search was carried out and 750 bottles of phensedyl were recovered from the hut which allegedly belongs to Maniklal Pal.

Normally, this Court is very reluctant to grant bail, especially anticipatory bail in cases like this but in this case there are some discrepancies in the memos. At this stage, this Court would not like to say anything further in this matter but it does appear that total 750 bottles were recovered. There are certain discrepancies in the documents and the search list and seizure list do not inspire confidence at this stage. The investigation is over and keeping in view the discrepancies in the search and seizure list, I am of the view that the petitioner should be enlarged on anticipatory bail.

Accordingly, it is ordered that in the event of his arrest, the petitioner shall be enlarged on bail on his furnishing a bail bond in the sum of Rs.25,000/- (rupees twenty five thousand) with two sureties each in the like amount to the satisfaction of the Arresting Officer subject to the following terms and conditions:-

(i) That, the petitioner shall appear before the Investigating Officer at 11.00 a.m. on Monday (24.08.2015). He shall also appear before the Investigating Officer on every subsequent date for which a written notice is served upon him;

(ii) The petitioner is further directed not to tamper with or in any manner influence the prosecution witnesses;

(iii) The petitioner is further directed not to in any manner try to influence any of the prosecution witnesses;

(iv) The petitioner is further directed not to cause any hindrance in the investigation;

(v) The petitioner shall not leave Tripura without permission of the appropriate Court;

(vi) In case, the petitioner violates any of the conditions or tries to delay the trial, the prosecution shall be at liberty to apply for cancellation of bail.

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