

09.09.2020
Suman/
Mithun
Sl. No.07
(Supp.)
Ct.No.11

CRM 6319 of 2020
with
CRAN 1 of 2020

(Via Video Conference)

In re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with Special Case No.4/2016 (ref:- S.I.'s S.L. no.91/15-16 dated 06.01.2016 of Excise, Manikchak Circle, Malda under Section 18(c) of the N.D.P.S. Act, 1985 for violation of Section 8(b) of the N.D.P.S. Act, 1985.

In the matter of : Jiten Ghosh @ Jhaitan Ghosh ...
Petitioner.

Mr.Mounick Ghosh

... for the petitioner

Mr.S.S.Imam,
Mr.Subrato Roy,

... for the State

At the inception it has been pointed out that serial No.4 and serial No.7 are one and same matter.

Learned Advocate for the petitioner submits that the petitioner is innocent and similarly placed with accused person who have already been granted bail by this Court.

Learned Advocate for the State opposes the prayer for bail and submits that for a considerable period of time the petitioner is absconding.

We have taken into account the contention advanced by both the parties and materials so available and after due regard to

the aforesaid contentions we are of the opinion that further detention of the petitioner is not warranted in the facts and circumstances of the case.

As such, the prayer for bail of the petitioner is allowed.

Accordingly the petitioner shall furnish a bond of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Special Court, Malda on condition that he shall not tamper with the evidence and intimidate the witnesses. The petitioner shall make himself available on each and every date of trial before the learned Special Court and in case he is absent without any reason the learned Special Court would be at liberty to cancel the bail without further reference to this Court.

The petitioner is further directed not to leave the jurisdiction without the permission of the learned Special Court.

With the aforesaid observation CRM 6319 of 2020 and CRAN 01 of 2020 are disposed of.

(Samapti Chatterjee, J)

(Tirthankar Ghosh, J)