

Serial no.16.
September 18, 2020.
SG

CRM 6690 of 2020
with
CRAN 1 of 2020

In Re. An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bizpur Police Station Case No.29 of 2020 dated 17.01.2020 under Sections 21(c)/29 of the NDPS Act.

In the matter of:Deep Kumar Kirtania @Deep Kumar Kirtanya @Dip Kirtonia
...petitioner.

Mr S.K. Das

... for the petitioner.

Mr Aniket Mitra

... for the State.

The petitioner undertakes to affirm and stamp the petition as per the Rules within 48 hours of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

The petitioner claims that no contraband was found from the possession of the petitioner and the matter has proceeded merely on the allegation of the persons arrested upon being found to possess illegal amounts of codeine mixture.

The State says that the three persons claimed that they were about to deliver the contraband to the present petitioner when they were apprehended. The State does not have any other material against the present petitioner save the uncorroborated statements of the persons arrested earlier.

In such circumstances, particularly when no contraband was recovered from the person of the petitioner, the petitioner is entitled to bail.

The petitioner is directed to be released on bail upon furnishing a bond of Rs.20,000/- (Rupees Twenty Thousand Only) with two sureties of like amount, one of whom must be local, to the satisfaction of the appropriate court in North 24 Parganas. The petitioner will attend every date fixed for trial and any unexplained absence will entitle the trial court to cancel the bail without reference to this court.

CRM 6690 of 2020 and CRAN 1 of 2020 are disposed of.

(Sanjib Banerjee, J.)

(Aniruddha Roy, J.)

