

20.10.2020
item no. 10
sdas
Allowed

C.R.M. 6755 of 2020
with
CRAN 1 of 2020
(via video conferencing)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Contai Police Station Case No. 259 of 2020 dated 26.07.2020 under Sections 20(b)(ii)(c)/29 of the NDPS Act.

And

In Re : Sukhendu Tola petitioner

Mr. Amitabha Karmakar
.....for the petitioner

Mr. Prodipto Ganguly
....for the State

Petitioner undertakes to affirm and stamp the petition/application as per Rules within a month of resumption of normal functioning of the court. Subject to such undertaking, the application is taken up for hearing through video conferencing.

Accordingly, application being CRAN 1 of 2020 is disposed of.

Having considered the materials on record and bearing in mind the nature of allegations relating to the alleged possession of narcotic substance to the tune of 8.1 kgs. of Ganja which is below commercial quantity and in view of the period of detention suffered by the petitioner i.e. 88 days, we are inclined to grant bail to the petitioner.

Accordingly we direct that the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Judge, Special Court under NDPS Act, Purba Medinipur, subject to condition that the petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

(Md. Nizamuddin, J.)

(Joymalya Bagchi, J.)