

24.09.2020

Sl.No. 14

Ct.No.08

Amalranjan

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION
APPELLATE SIDE**

(Via Video Conference)

CRM No. 6830 of 2020

In re: Rafiqul Mia @ Rafikul Mia and anr.

..... Petitioners

Re: An application for bail under Section 439 of the
Criminal Procedure, 1973.

Ms. Arpita Saha

..... For the Petitioners

Mr. Nilay Chakraborty
Mr. Aniruddha Biswas
Mr. Aditi Sankar Chakraborty
Mr. Ujjwal Luksom
Ms. Namrata Das

..... For the State.

The petitioners undertake to affirm and properly 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.

We have heard the submissions of learned counsel appearing for the petitioners and learned counsel appearing for the State.

The petitioners are accused under Section 20(b)(ii)(c) of the Narcotic Drugs and Psychotropic Substances (NDPS)

Act, 1985. Learned counsel for the petitioners submits as follows:-

The Narcotics were not in his clients' possession. The other co-accused persons have been granted bail by the learned court below on the ground of non-submission of chargesheet. In the case of the accused, the chargesheet has been submitted. But no charge has been framed as on 31st July, 2020. These submissions are not contradicted by learned counsel appearing for the State.

In those circumstances, we allow this application for bail .

Accordingly, the petitioner shall be released on bail upon furnishing a bond of Rs. 10,000/- (Rupees ten thousand only) together with personal release bond of equivalent value to the satisfaction of the appropriate court, Cooch Behar. The petitioner must, however, attend on every date fixed for trial; and in the event of failing to do so, the trial court shall be at liberty to cancel the bail of the petitioner without any reference to the court.

The accused shall not leave the jurisdiction of the local police station without informing the IC and giving him all particulars of his whereabouts.

Accordingly, CRM 6830 of 2020 is disposed of.

(Md. Nizamuddin, J.)

(I. P. Mukerji, J.)

