

November 03, 2020

srn/ARDR

(Serial No. 4)

Allowed

CRM 6837 of 2020
+
IA No. CRAN 1 of 2020
(Via Video Conference)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Kumarganj** Police Station case no. **51** of **2020** dated **19/3/2020** under Sections **21/22/23** of the NDPS Act, 1985.

In Re : Jakir Shek,

... petitioner

Mr. Pawan Kumar Gupta,
Mr. Subrata Saha,

.....for the petitioner

Mr. Prasun Kumar Datta, A.P.P.,
Mr. Santanu Deb Roy,

....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 merely on the basis of a statement of a person arrested in connection with an NDPS case, the investigating agency has proceeded against the petitioner.

The State cannot indicate any independent material against the petitioner other than the statement of a person arrested earlier.

In view of the above and the confirmed position that no contraband was recovered from the possession of this petitioner, the petitioner is entitled to bail.

The petitioner will be enlarged on bail upon furnishing security 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 appropriate Court in Dakshin Dinajpur. 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 6837 of 2020 and the interim application therein stand disposed of.

(Arijit Banerjee, J.)

(Sanjib Banerjee, J.)