

14-10-2020
k.b/b.r.
Item no.14
Bail allowed
Crt. No.12

IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction

C.R.M 7050 of 2020
Soumen Mondal @ Soumen Mandal @ Bikash
-vs-
The State of West Bengal
With
IA No.CRAN 1 of 2020
(Via video conference)

In Re: An application for bail under Section 439 Cr.P.C in connection with the NDPS Case No. 192 of 2019 arising out of Raninagar P.S. Case No. 579 of 2019 dated 20.10.2019 under Sections 21(c) /29 of the NDPS Act.

Mr. Mrityun Chatterjee
Mr. T. Gupta ...for the petitioner.

Mr. Imran Ali
Mrs. Manashi Roy ... for the State.

The advocate-on-record for the petitioner undertakes to affirm and properly stamp the petition as per the rules within one month of resumption of normal functioning of the court. The petition is taken up through video-conference on the basis of such undertaking. Accordingly, CRAN No.1 of 2020 is disposed of.

From the FIR itself it is ascertained that commercial quantity of narcotic substance was recovered from the exclusive possession of one Akbar Ali. The present petitioner has been tagged in the said case on the basis of a statement made by the principle accused Akbar Ali. No contraband article was seized from the possession of the present petitioner. He is in custody for 65 days. Statement of co-accused before Police Officer is not admissible in evidence.

In view of such circumstance, we are inclined to release the petitioner on bail.

The petitioner shall be enlarged on bail upon furnishing a bond of Rs.10,000/- (Rs. Ten thousand only) with two sureties of like amount each, one of whom must be local to the satisfaction of the learned Special Court, Berhampore, Murshidabad under NDPS Act on further condition that the petitioner shall appear before the trial Court on every date of hearing until further order and shall not intimidate or tamper in any manner whatsoever.

In the event, he fails to appear before the trial Court without justifiable cause, the trial Court shall be at liberty to cancel his bail without reference to this Court.

Accordingly, the application for bail, being CRM No. 7050 of 2020 is disposed of.

All concerned parties shall act in terms of the copy of the order downloaded from the official website of this Court.

[Bibek Chaudhuri, J.]

[Subrata Talukdar, J.]