

17.11.2020

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21.

CRM 7479 of 2020
with
CRAN 1 of 2020
(Via Video Conference)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Balurghat P.S. Case No.97 of 2020 dated 29.02.2020 under Sections 21(c)/22(c)/23(c)/25/27(A)/28/29 of the NDPS Act.

And

In the matter of: **Uttam Mahato**

....Petitioner

Mr. Kaushik choudhury

...for the Petitioner.

Mr. Sanjoy Bardhan
Mr. Palash Chandra Majhi

...for the State.

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

The State accepts the petitioner's assertion that there was no recovery of any contraband from the petitioner and the petitioner was named by a person arrested in the matter.

Since the State does not have any independent material against the petitioner, the immediate detention of the petitioner may not be called for. However, it will be open to the State to take appropriate steps if sufficient independent material exists against the petitioner.

In the event of arrest, the petitioner will be enlarged on bail on furnishing security of Rs.10,000/- (Rupees Ten Thousand only),

with two sureties of like amount, one of whom must be local, to the satisfaction of the Arresting Officer. In addition, the petitioner will abide by the conditions in Section 438(2) of the Code of Criminal Procedure, 1973.

CRM 7479 of 2020 along with the interim application therein stand disposed of.

(Sanjib Banerjee, J.)

(Aniruddha Roy, J.)