

**CRM 7935 of 2020
(Through Video Conference)**

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with Hili P.S. Case No.78 of 2020 dated 04.07.2020 under Sections 21(C)/22(C)/23(C)/27A of the Narcotic Drugs and Psychotropic Substances Act.

And

In the matter of: **Manoj Mali @ Biltu**

.... Petitioner

Ms. Bushra Khatoon
Mr. Kaushik Choudhury

... For the Petitioner

Mr. Binay Kumar Panda
Ms. Puspita Saha

... 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 petitioner claims that the petitioner has been pursued merely on the basis of the statement of a person who was found with commercial quantity of contraband in his possession.

The State cannot show any independent material against the petitioner, but says that the investigation has not yet been completed.

As of now, there is no basis to arrest the petitioner. If there is any independent material found against the petitioner, other than the uncorroborated statement of an accused, the State would be entitled to take appropriate steps for cancellation of bail.

Since the only basis for the State to arrest the petitioner is an uncorroborated statement of an accused in the same case, 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 must cooperate with the investigation and report to the investigating officer as and when called, till the investigation is completed.

CRM 7935 of 2020 is disposed of.

(Sanjib Banerjee, J.)

(Aniruddha Roy, J.)