

19.10.2020
Sl. No. 27
kb/b.r.
Crt.12

Allowed

**CRM 8053 of 2020
(Via Video Conference)**

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No. 204 of 2020 arising out of Murshidabad P.S. Case No.363 of 2020 dated 01.09.2020 under Sections 21(c)/29 of NDPS Act.

And

In the matter of: **Johorul Sk. @ Johirul Sk**

....Petitioner.

Mr. Tapodip Gupta

...for the Petitioner.

Mr. Arijit Ganguly

Mr. Sanjib Kumar Dan

...for the State.

Petitioner undertakes to affirm and stamp the petition/application as per Rules within 48 hours of resumption of normal functioning of the Court. Subject to such undertaking, the application is taken up for hearing through video conference.

The petitioner is in custody for about 476 days and chargesheet has already been submitted.

Having considered the materials on record and the Case Diary and also having regard to the fact that the recovery of contraband articles was below the commercial quantity, we are inclined to grant bail to the petitioner.

Let the petitioner be released on bail upon furnishing a Bond of Rs. 10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Beharmpore, Murshidahad subject to the condition that during bail he shall appear before the Investigating Officer once in a week trial and he shall not intimidate witnesses or tamper with evidence in any manner whatsoever and on further condition he

shall submit his passport to the Investigating Officer, if any, within one week from date. In the event, the petitioner does not have passport, he shall personally appear before the Investigating Officer and furnish an affidavit to that effect within the aforesaid time.

CRM 8053 of 2020 stands thus disposed of.

Learned advocate as well as the other concerned authorities shall act on the copy of the order downloaded from the official website of this Court.

(Soumen Sen, J.)

(Abhijit Gangopadhyay, J.)