

ADDL 37.
October 20, 2020.
SG

CRM 8201 of 2020

In Re. An application for bail under Section 438 of the Code of Criminal Procedure in connection with Lalgola Police Station Case No.319 of 2020 dated 03.09.2020 under Sections 20(b)(ii)(c)/29 of NDPS Act.

*In the matter of: Kalu Sk @Kalu and another
...petitioners.*

Mr Tapodip Gupta
... for the petitioners.

Mr Madhu Sudan Sur
Mr Manoranjan Mahata
... for the State.

The petitioners undertake 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 petitioners claim that merely on the basis of the statement given by a person arrested with contraband on him, the State has purported to proceed against the petitioners.

The State cannot show any independent material against the petitioners, but suggests that the investigation may be at the initial stage. Since the State does not have any material against the petitioners, the petitioners cannot be immediately arrested in connection with the narcotics case.

In the event of arrest, the petitioners will be enlarged on bail upon furnishing a security of Rs.10,000/- (Rupees Ten Thousand Only) each, with two sureties of like amount each,

one of whom must be local, to the satisfaction of the arresting officer. The petitioners will also abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

CRM 8201 of 2020 is disposed of.

(Sanjib Banerjee, J.)

(Arijit Banerjee, J.)