

19.11.2020
Court No. 16
Item No.6
(D/L)
akd & ab

CRM 8513 of 2020
(Via Video Conference)

In Re: An application for Bail under Section 439 of the Code of Criminal Procedure in connection with Hili Police Station Case No. 119 of 2020 dated 16.09.2020 under Sections 21 (C)/22(C)/23(C)/27A of the N.D.P.S. Act.

and

In the matter of: Bhushan Barman

..... Petitioner

Mr. Kaushik Chowdhury.

.....for the Petitioner

Mr. Sanjay Bardhan,

Mr. P. C. 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 petitioner claims that the petitioner has been pursued merely on the basis of the accusation of a person arrested with commercial quantity of phensedyl.

The State produces the case diary. It appears that 100 bottles of phensedyl were recovered from one Raju Sarkar. There does not appear to have been any recovery from the petitioner and it is only on the basis of the alleged statement of Raju Sarkar that the investigating agency has proceeded against the petitioner.

Though the State says that the investigation has not yet been completed, on the basis of the materials now available against the petitioner, there is no question of his continued detention. In the event adequate material is discovered against the petitioner, the State may take appropriate steps in accordance with law.

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 will co-operate with the investigation and report to the investigating officer as and when called, till the investigation is completed.

CRM 8513 of 2020 is disposed of.

(Sanjib Banerjee, J.)

(Hiranmay Bhattacharyya, J)