

01.12.2020

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CRM 8540 of 2020
(Via Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with Balurghat P.S. Case No.248 of 2020 dated 17.07.2020 under Sections 21(c)/22(c)/23(c)/25/27A/28/29 of Narcotic Drugs and Psychotropic Substances Act.

And

In the matter of: **Pratim Kar @ Piku.**

....Petitioner.

Mr. Kaushik Choudhury

...for the Petitioner.

Mr. Binay 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 he has been arrested merely on the statement of a person who has been found with commercial quantity of contraband in his possession.

The State produces the case diary and cannot show any independent material against this petitioner other than the uncorroborated statement of a person who was intercepted with drugs in his possession.

Considering the material, the petitioner's continued detention is unwarranted. Though the State says that the petitioner has a criminal record, it does not appear that the petitioner has been convicted in any previous case.

The petitioner will be enlarged on bail upon furnishing security of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of equal amount, one of whom must be local, to the satisfaction of the appropriate court in Dakshin Dinajpur.

The petitioner must attend every date fixed for trial and any unexplained absence will entitle the trial court to cancel the bail without reference to this court.

CRM 8540 of 2020 is disposed of.

(Sanjib Banerjee, J.)

(Aniruddha Roy, J.)