

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

**CRM 8645 of 2020
(Via Video Conference)**

In Re: An application for Bail under Section 439 of the Code of Criminal Procedure in connection with Kaliachak Police Station Case No. 319 of 2020 dated 24.04.2020 under Sections 21 (c)/29 of the N.D.P.S. Act.

and

In the matter of: Sultan Sk. @ Sultan Sekh.

..... Petitioner

Mr. Sourav Chatterjee,
Mr. Avinaba Patra.

.....for the Petitioner

Mr. Saibal Bapuli,
Ms. Sayanti Santra.

..... 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 detained now for over six months merely on the basis of the statement of a person arrested with contraband in his possession. The petitioner maintains that no contraband was recovered from his possession.

The State produces the case diary. There does not appear to be any independent material against the petitioner other than the uncorroborated statement of the person originally arrested with contraband in his possession.

On the basis of the material now available, the further detention of the petitioner is deemed unnecessary.

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 Malda. The petitioner must attend every date fixed for trial. In the event of any

unexplained absence, the trial court will be entitled to cancel the bail without reference to this Court.

CRM 8645 of 2020 is disposed of.

(Sanjib Banerjee, J.)

(Hiranmay Bhattacharyya, J)