

**CRM 8799 of 2020
(Through Video Conference)**

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with Gangarampur P.S. Case No.469 of 2019 dated 20.12.2019 under Section 27(a) (b) of Drugs and Cosmetics Act.

And

In the matter of: **Asgar Mia**

.... Petitioner

Ms. Busra Khatoon

... For the Petitioner

Mr. Bidyut Kumar Roy

Ms. Rita Datta

... 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 says that though no contraband was recovered from the person of the petitioner, he has been detained merely on the basis of the statement of one of the persons originally arrested.

The State cannot produce any independent material against this petitioner other than the statement of one of the persons earlier arrested.

Considering the material against the petitioner, he is entitled to bail. However, 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.

Subject to the above, 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.

CRM 8799 of 2020 is disposed of.

(Sanjib Banerjee, J.)

(Arijit Banerjee, J.)