

24.11.2020

ssd  
DL-19

**CRM 9258 of 2020  
(Via Video Conference)**

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with Dinhata P.S. Case No.80 of 2020 dated 05.03.2020 under Section 21(C) of the NDPS Act.

And

In the matter of: **Kajal Saha**

....Petitioner.

Mr. Subhasish Misra

...for the Petitioner.

Mr. Biswarup Roy

...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 no contraband was recovered from the person of this petitioner but he was named by another person who was arrested with commercial quantity of contraband in his possession.

Since the State cannot show any independent material to proceed against the petitioner other than the uncorroborated statement of a person caught with commercial quantity of contraband, the petitioner is entitled to bail.

However, 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.

Subject to the above, the petitioner will be enlarged on bail upon furnishing security of Rs.10,000/- (Rupees ten Thousand

only) together with two sureties of like amount each, one of whom must be local, to the satisfaction of the appropriate court in Cooch Behar.

CRM 9258 of 2020 is disposed of.

(Sanjib Banerjee, J.)

(Aniruddha Roy, J.)