

25-03-2021
Subha
Item no.100
Bail allowed

IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction

C.R.M 1272 of 2021

Tofijul Sk @ Hossain & Anr.

-vs-

The State of West Bengal
(Via video-conference)

In Re: An application for bail under Section 439 CrPC in connection with N.D.P.S Case No. 91 of 2020 arising out of Suti P.S. Case No.247 of 2020 dated 06-06-2020 under sections 21(c)/29 of the Narcotic Drugs and Psychotropic Substances Act.

Mr. Arnab Chatterjee

...for the petitioners.

Mr. Madhusudan Sur
Mr. Dipankar Pramanick

... for the State.

Having heard the learned advocates appearing for the respective parties and considering the materials on record available in the case diary, it appears that no contraband substance was recovered from the joint possession of the present petitioners and their names have transpired on the basis of a statement of a co-accused person, which is inadmissible in evidence.

In view thereof, we are of the opinion that the present petitioners have been able to overcome the rigours of Section 37 of the Narcotic Drugs and Psychotropic Substances Act and they may be enlarged on bail.

Accordingly, the present petitioners namely, **1. Tofijul Sk @ Hossain & 2. Rafijul Sk @ Ukka** shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees ten thousand only) each with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Special Judge under N.D.P.S Act, 5th court, Berhampore, Murshidabad, and on a further condition that the petitioners shall meet with the Officer-in-Charge of Suti Police Station once a week on and from 8th April, 2021 until further orders.

The application for bail, being CRM No. 1272 of 2021, is disposed of.

[Tirthankar Ghosh, J]

[Tapabrata Chakraborty, J]