

30.06.2021

Court No.28
Item No.61

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CRM 2770 of 2021
(Via Video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Tapan Police Station Case No. 116 of 2020, dated 25.04.2020 under Sections 21(C)/22(C)/23(C)/27A of the Narcotic Drugs and Psychotropic Substances Act (Special Case No. 27 of 2020).

And

In the matter of : **Gopin Oraw @ Gupin Kisku @ Gopen Kisku.**
...Petitioner

Mr. Kaushik Choudhury,
Ms. Busra Khatoon.

...For the Petitioner

Mr. Binoy Kumar Panda,
Ms. Pushpita Saha,
Ms. Rita Datta.

...For the State.

The Advocate on Record of the petitioner undertakes to affirm and stamp the petition/application as per the Rules within four weeks from date. Subject to such undertaking the application is taken up for hearing.

The petitioner has filed the instant application for bail under Section 439 of the Code of Criminal Procedure after being arrested in connection with Tapan Police Station Case No. 116 of 2020 under Sections 21(C)/22(C)/23(C)/27A of the Narcotic Drugs and Psychotropic Substances Act.

The petitioner has been implicated in the instant case on the statement of the co-accused. No recovery of the contraband was shown from the exclusive possession of the petitioner.

Learned Advocate for the State does not dispute the aforesaid fact. According to him, a person was intercepted and the recovery was made from his exclusive possession, but during interrogation he divulged the name of the present petitioner.

We thus do not find that further custodial interrogation of the petitioner is necessary in this regard.

The prayer for bail of the petitioner is thus allowed.

Accordingly, the petitioner, **Gopin Oraw @ Gupin Kisku @ Gopen Kisku.**, shall be released on bail upon furnishing a bond of Rs.10,000 /- (Rupees Ten Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Special Judge under NDPS Act, Balurghat, Dakshin Dinajpur, subject to the condition that the petitioner shall appear before the Trial Court on every date of hearing until further orders.

In the event the petitioner fails to do so without any justifiable cause, the Trial Court shall be at liberty to pass an appropriate order in accordance with law without further reference to this Court.

The application for bail, being CRM 2770 of 2021, is thus **disposed of.**

(Harish Tandon, J)

(Subhasis Dasgupta,J.)