

19.07.2021

Court No.28
Item No17

Saswata

CRM 2798 of 2021
(Via Video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed on 17.03.2021 in connection with Suti Police Station Case No. 03 of 2020 dated 02.01.2020 under Sections 21(c)/29 of the Indian Penal Code;

And

In the matter of : **Saheb Sk.**

...Petitioner

Mr. Anisur Rahman

...For the Petitioner

Mr. Sanjay Bardhan
Mr. Nirupam Dhali.

... For the State

The petitioner has filed the instant application for bail under Section 439 of the Code of Criminal Procedure in connection with Suti Police Station Case No. 03 of 2020 dated 02.01.2020 under Sections 21(c)/29 of the Indian Penal Code.

The petitioner has been apprehended in connection with the instant case on the statement of the co-accused, from whom the contraband was recovered. Though the petitioner was absconding and later on taken into custody, but since the statement of the co-accused is inadmissible at this stage, we do not think that further custodial interrogation of the petitioner is necessary.

The prayer for bail of the petitioner is, thus, considered and allowed.

Accordingly, the petitioner 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), Murshidabad 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 necessary order in accordance with law without any further reference to this Court.

The application for bail, being CRM 2798 of 2021, is thus **allowed.**

(Harish Tandon, J)

(Subhasis Dasgupta,J.)