

30.06.2021

Court No.28
Item No.65

Akd
&
As

CRM 2845 of 2021
(Via Video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Gangarampur Police Station Case No. 74 of 2020, dated 24.02.2020 under Sections 21(c)/22(c)/23(c)/27A/28/29 of the Narcotic Drugs and Psychotropic Substances Act and Sections 14(A)(b)/14C of the Foreigners Act, 1946

And

In the matter of : **Abdul Makim Miah @ Md. Mukim.**
...Petitioner

Mr. Mazahar Hossain Chowdhury.
...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 Gangarampur Police Station Case No. 74 of 2020 under Sections 21(c)/22(c)/23(c)/27A/28/29 of the Narcotic Drugs and Psychotropic Substances Act and Sections 14(A)(b)/14C of the Foreigners Act, 1946.

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, **Abdul Makim Miah @ Md. Mukim**, 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 2845 of 2021, is thus **disposed of**.

(Harish Tandon, J)

(Subhasis Dasgupta,J.)