

28.07.2021

Court No.28
Item No.31
(Allowed)

Akd
&
As

CRM 3299 of 2021
(Via Video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Kumarganj Police Station Case No. 54 of 2018, dated 26.03.2018 under Sections 21/22/23 of the Narcotic Drugs and Psychotropic Substances Act (Special Case No. 13 of 2018).

And

In the matter of : **Asim Das @ Asim Kumar Das**
@ Ghor Padu @ Ghorpudul
...Petitioner

Ms. Bushra Khatoon.

...For the Petitioner

Mr. Sanjoy Bardhan,
Mr. Palash Chandra Majhi.

...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 Kumarganj Police Station Case No. 54 of 2018 under Sections 21/22/23 of the Narcotic Drugs and Psychotropic Substances Act.

Indubitably the petitioner has been implicated in the instant case on the basis of the statement of the co-accused from whom the commercial quantity of contraband was recovered at the time of seizure.

Since the statement of the co-accused made before the police is inadmissible at this stage, we do not think that further custody of the petitioner is necessary.

The prayer for bail of the petitioner is thus allowed.

Accordingly, the petitioner, **Asim Das @ Asim Kumar Das @ Ghor Padu @ Ghorpudul**, 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 3299 of 2021, is thus **disposed of.**

(Harish Tandon, J)

(Bibek Chaudhuri,J.)