

CRM 3570 of 2021

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with North Port Police Station Case No.01 of 2021 dated 08-01-2021 under Section 21(c) of the Narcotic Drugs and Psychotropic Substances Act.

- A n d -

In the matter of : Kalachand Khatick

.... Petitioner.

Mr. Sandipan Ganguly, Sr. Adv.,
Mr. Jaydeep Biswas,
Mr. Kaushik Ghosh

... For the Petitioner.

Mr. Madhusudan Sur, learned APP,
Mr. Dipankar Paramanick

... For the State.

Reports filed by the SI, Ekbalpore Police Station and the Metropolitan Magistrate, 12th Court, Calcutta, be kept with the records.

From the reports it appears that the quantity of contraband item that was allegedly seized from the petitioner is below commercial quantity. The weight of the packaging material has been ascertained and after subtracting the same from the weight of the entire consignment, the actual weight of the contraband item has been arrived at.

The petitioner has been in custody for 264 days. Although Charge Sheet is yet to be submitted, considering the material in the Case Diary, we are of the view that the petitioner need not be further detained in custody so long as he cooperates with the Investigating Officer.

Accordingly, we direct that the petitioner, namely, **Kalachand Khatick**, 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 learned Judge, Bench-I Special Court under NDPS Act, City Sessions Court, Calcutta. The petitioner shall appear before the trial Court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever. The petitioner shall remain within the jurisdiction of the local police station and shall report to the Investigating Officer of this case once in a week until further orders.

In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial Court shall be at liberty to cancel the bail in accordance with law without further reference to this Court.

The application for bail being CRM 3570 of 2021 is, thus, **allowed**.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)