

21.09.2021
Item no.64.
Court No.32.
AB
(Allowed)

(Via Video Conference)

CRM No. 4552 of 2021

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 6.7.2021 in connection with Howrah GRPS Case No.02 of 2021 Dated 20.1.2021 under Sections 20(b) (ii)(B) of the NDPS Act

And

In the matter of : Arjun Kumar

.....Petitioner.

Mr. Rabi Sankar Chattopadhyay,
Mr. Sayan Chattopadhyay,
Ms. Payel Shome,
Mr. Akash Biswas for the Petitioner.

Mr. Saryati Dutta for the State.

About 8.5 kilograms of ganja, i.e. intermediate quantity, was recovered from the petitioner. Accordingly, the restriction in Section 37 of the NDPS Act would not be attracted.

We have seen the material in the case diary. The charge sheet has been submitted.

On an overall assessment of the material on record and the facts and circumstances of the case and considering that the petitioner has been in custody for 246 days, we are of the view that the petitioner's prayer for bail may be allowed.

Accordingly, we direct that the petitioner, namely Arjun Kumar shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Judge, Special Court under the NDPS Act at Howrah, and on further conditions that he shall remain within the jurisdiction of the concerned police station and shall report to the Officer-in-Charge of the concerned police station once in a fortnight until further orders.

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.

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 petitioner's bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)