

25.10.2021
02
Ct. No. 08
Sdas, AJ.

Allowed

**C.R.M. 4819 of 2021
(Via Video Conference)**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Habra Police Station Case No. 346 of 2021 dated 25.06.2021 under Sections 20(b)(ii)(b)/29 of the NDPS Act.

And

In Re : Mana Deb @ Manna Deb @ Mannan Deb.
..... petitioner

Mr. Tapodip Gupta.
.....for the petitioner

Mr. Sanjay Bardhan,
Mr. Pratick Bose.
....for the State

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that the petitioner stands in the same footing as that of the other accused persons who were granted bail by the co-ordinate Bench on August 31, 2021 in C.R.M. 4554 of 2021 (in the matter of Raju Chakraborty & Ors.). He also submits that 16 Kg. of Ganja being intermediate quantity is claimed to have been recovered from the joint possession of the petitioners.

Learned advocate appearing for the State submits that the charge sheet in respect of the proceeding was submitted. He also submits that intermediate quantity of Ganja was recovered from the joint possession of the petitioners.

Considering the fact that the intermediate quantity of Ganja was recovered from the joint possession of the petitioners

and considering the fact that the petitioner in the present case stands in the same footing as that of the other accused persons who were granted bail in C.R.M. 4554 of 2021 on August 31, 2021 and considering the fact that the police submitted charge sheet, we are inclined to grant bail to the petitioner.

Accordingly we direct that the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-(Rupees Ten Thousand Only) with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Barasat, 24-Parganas (North) and on further condition that the petitioner shall not leave 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 appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel bail of the petitioner automatically without further reference to this Court.

The application for bail is, accordingly, allowed.

(Debangsu Basak, J.)

(Rabindranath Samanta, J.)