

30.09.2021

112
Ct. No. 29
KAUSHIK
Allowed

C.R.M. 5236 of 2021
(Via Video Conference)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Goalpokher** Police Station Case No. **344** of **2020** dated **10.11.2020** under Sections 21(c)/29 of the Narcotic Drugs and Psychotropic Substances Act.

And

In Re : Md. Ramjan @ Ramjan Ali

..... petitioner

Mr. Kaushik Chaudhury
Ms. B. Khatun

.....for the petitioner

Mr. Binoy Kumar Panda
Mr. Subham Bhakat
Ms. Puspita Saha

....for the State

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that, no contraband was seized from the possession of the petitioner.

Learned advocate appearing for the State submits that, the petitioner was arrested in the present matter. However, there are criminal antecedents of the petitioner.

Considering that no contraband was recovered from the possession of the petitioner, we are of the view that the petitioner rebutted the presumption under Section 37 of the NDPS Act. Since the police submitted charge sheet, we grant bail to the petitioner.

Accordingly, we direct that the petitioner 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 Special Judge (under NDPS Act), Raiganj, Uttar Dinajpur**, subject to the condition that 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 his bail automatically without further reference to this Court.

The application for bail is, accordingly, allowed.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)