

20.12.2021
cm/ct 28
sl no. 96

CRM 6014 of 2021

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with NDPS Case No. 62 of 2020 dated 02.02.2021 under Sections 8(c) r/w 20 b (ii) (C) & 23(c) of the NDPS Act.

And

Allowed

In Re : Santosh Kumar Jha @ Santosh Jha
..... petitioner

Mr. S. Banerjee
Mr. Apurba Dutta
Mr. Abhra Jena

..... for the petitioner

Mr. Y.J. Dastoor, Ld. ASG
Mr. Phiroze Edulji
Ms. Jaitha Roy

..... for the NCB

Petitioner is in custody for 320 days. He is innocent and has been falsely implicated in the instant case.

Learned Additional Solicitor General submits in view of the extent of complicity of the petitioner, adequate conditions may be imposed upon him to ensure his regular attendance during trial.

Having considered the materials on record and keeping in mind the facts and circumstances of the case including the period of detention suffered by the petitioner and the extent of his complicity and the submission of the prosecution in this regard, we are of the opinion further detention is not necessary and petitioner may be granted bail subject to conditions.

Accordingly, the petitioner be released on bail upon furnishing a bond of Rs. 50,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Judge, Special Court under NDPS Act, Alipore, South 24 Parganas

on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application being CRM 6014 of 2021 is disposed of.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)