

10.12.2021
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allowed

CRM 6471 of 2021
(via video conferencing)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Jalangi Police Station Case No. 159 of 2021 dated 13.06.2021 under Sections 20(b)/29(b) of the NDPS Act.

And

In Re : Milon Sk. petitioner

Ms. Riya Das

.....for the petitioner

Mr. Binay Panda
Mr. Subham Bhakat

..... for the State

It is submitted by the learned Counsel appearing for the petitioner that he is in custody for 178 days. No narcotic substance was recovered from his possession.

Learned Counsel appearing for the State opposes prayer for bail.

Having considered materials on record and extent of complicity of the petitioner in the light of the submission made on behalf of the petitioner that no narcotic substance has been recovered from the possession of the petitioner and in view of period of detention already suffered by him, 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 Judge, Special Court under

NDPS Act, Berhampore, Murshidabad, 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.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)