

08.11.2021
Serial no. 6
Ct. No. 29
Aloke

(Through Video Conference)

CRM 6708 of 2021

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 24.09.2021 in connection with Hogolberia Police Station Case No. 159 of 2019 dated 09.09.2019 under Sections 188/353/34 of the Indian Penal Code and Section 21(c) of the NDPS Act.

-And-

In the matter of : Sujit Pramanik

... ..Petitioner

Mr. Prabir Majumder, Advocate

... .. For the Petitioner

Mr. Sanjay Bardhan, Advocate

Mr. Amanul Islam, Advocate

... ..For the State

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that another co-accused was granted bail by the Coordinate Bench. He submits that no contraband was recovered from the possession of the petitioner and that the petitioner stands on the same footing as that of the other co-accused who was granted bail.

State is represented.

Considering the fact that no contraband was recovered from the possession of the petitioner, we are of the view that the petitioner is able to rebut the presumption under Section 37 of the NDPS Act.

Considering the fact that the police submitted charge-sheet and considering the fact that another co-accused from whom no contraband was recovered was granted anticipatory bail by a Coordinate Bench, 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, Krishnagor, Nadia, subject to condition that the petitioner shall appear before the learned trial court on every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.

In the event, the petitioner fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel the bail of the petitioner in accordance with law without further reference to this Court.

The prayer for bail is allowed.

CRM 6708 of 2021 is disposed of.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)