

29.01.2021
Court No.28
Item No. 27
Krishnendu
Bail Granted

**CRM 11209 of 2020
(Via video Conference)**

In Re:- An application for bail under section 439 of the Code of Criminal Procedure ;

And

In Re: **Tutul Sk. & Ors.**

Petitioners

Mr. Kallol Mondal

Ms. Amrita Chel

For the Petitioners

Mr. Sanjoy Bardhan

Ms. Manisha Sharma

For the State

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioners in connection with Ketugram Police Station Case No. 25 of 2020 dated 20.01.2020 under sections 20(b)(ii)(c)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (Special Case No.03 of 2020).

Having heard the learned advocates and considering the materials in the case diary and as no recovery of contraband substance was made from the petitioners and as their names have transpired on the basis of 161 statement of co-accused, which is inadmissible in evidence, we are of the opinion that the rigours of the NDPS shall not stand in the way towards allowing this application. We have been informed that upon completion of investigation, charge sheet has also been filed.

In view thereof, we are of the opinion that further detention of the petitioners, who are in custody for one year six days, is not necessary.

Accordingly, we direct that the petitioners, namely **Tutul Sk., Goni Sk. @ Gani Sk. and Bapi Sk.**, shall be released on bail upon furnishing a bond of Rs. 10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Judge, Third Special Court under N.D.P.S. Act, Purba Bardhaman.

With the aforesaid observations, the application for bail, being CRM No. 11209 of 2020, is disposed of.

(Tirthankar Ghosh, J)

(Tapabrata Chakraborty, J)