

CRM(NDPS) No.156 of 2022

**Via video conference**

10.03.22

(S.R.)

Sl.03

Ct.32

**Allowed**

In re: An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with **Jalangi** Police Station Case No.102 of 2020 dated 06.03.2020 under Sections 21(c)/29 of the NDPS Act;

And

**In re: Usman Goni @ Usman Goni Mondal @ Usman Gani**

**... Petitioner.**

Mr. Arnab Chatterjee

... for the petitioner.

Mr. Binay Panda

Ms. Puspita Saha

...for the State.

Heard the learned advocates appearing for the respective parties and considered the materials in the case diary.

It appears that no contraband substance above commercial quantity was recovered from the possession of the petitioner and that his name has transpired on the basis of the statements of co-accused, which is inadmissible in evidence. Upon completion of investigation charge sheet has also been submitted and as such, further detention of the petitioner, who is in custody for about 60 days, is not necessary.

Accordingly, 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 Judge, Special Court under NDPS Act, Berhampore, Murshidabad with a further condition that the petitioner shall not leave the jurisdiction of Jalangi Police Station save and except for attending the Learned Court below on all the dates, as specified for hearing and shall attend the Learned Trial Court on all the dates, as specified for hearing.

It is further directed that the petitioner shall not intimidate the witnesses or tamper with evidence in any manner whatsoever.

It is made clear that in the event the petitioner fails to comply with the aforesaid directions without any justifiable cause, the learned trial court would be at liberty to cancel the petitioner's bail without any further reference to this Court.

The application for bail being CRM(NDPS) No.156 of 2022 is, accordingly, disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

**(Sugato Majumdar, J.)**

**(Tapabrata Chakraborty, J.)**