

03.01.2021
Court No.32
Item No. 24
Avijit Mitra

C.R.M. 8105 of 2021

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

And

In Re : Suresh Pramanik @ Jala

.... petitioner

Mr. Koushik Choudhury,
Ms. Bushra Khatoon

...for the petitioner

Mr. Binay Panda,
Mr. Subham Bhakat

...for the State

Languishing in custody for 90 days, the present application under Section 439 of the Code of Criminal Procedure is filed in connection with Hili Police Station Case No.219 of 2021 dated 26.09.2021 under sections 14A(b)/14C of the Foreigners Act read with Sections 21(c)/22(c)/23(c)/27A of the Narcotic Drugs and Psychotropic Substances Act, praying for bail.

We have heard rival submissions and perused the case diary.

The statement of witnesses and the seizure list are at variance. Although the name of the present petitioner appears from the statement of the witnesses we are not able to find anything seized from the custody of the petitioner. Considering the custodial detention of 90 days and the extent of incriminating elements, we are inclined to allow the prayer for bail.

Accordingly, we allow this application and direct that the petitioner, namely, **Suresh Pramanik @ Jala**, 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 a local, to the satisfaction of the learned Special Judge under N.D.P.S. Act, Balurghat, Dakshin Dinajpur, with a further condition that the petitioner shall not leave the jurisdiction of Hili Police Station without the prior permission of Investigating Officer till investigation is complete and shall meet with the Investigating Officer once a week during the pendency of the investigation.

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 his bail without any further reference to this Court.

With the aforesaid observations, the application for bail, being CRM No.8105 of 2021, is 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)