

06.02.2023
Sl. No.9
akd
[ALLOWED]

C. R. M. (NDPS) 184 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 31.01.2023 in connection with English Bazar Police Station Case No. 765 of 2021 dated 06.07.2021 under Sections 20(b)(ii)(c)/29 of the NDPS Act.

And

In Re: ***Chranjit @ Chiranjit Sikdar @ Chiron***

... .. Petitioner

Mr. Mrityunjoy Chatterjee
Mr. Debapriya Majumder

... .. for the petitioner

Mr. Ranabir Roy Chowdhury
Mr. Mainak Gupta

... .. for the State

Petitioner renews his prayer for bail. It is submitted on behalf of the petitioner that he is in custody for more than 1½ years. It is further submitted no narcotic substance was recovered from his possession. No voice analysis has been made so far as the petitioner is concerned. Co-accused viz. Gopinath Majumdar has been enlarged on bail.

Learned Advocate for the State opposes the prayer for bail and submits bail prayer of the petitioner was rejected in April, 2022. Date has been fixed for consideration of charge.

We have considered the materials on record. No narcotic substance was recovered from the petitioner. His bail prayer was rejected earlier on the ground that voice samples had been sent for analysis. On query, we are informed voice samples of the petitioner had not been sent for analysis but that of co-accused viz. Sribas Haldar was sent and the report is positive. Apart from telephonic conversations between the petitioner and co-accused viz. Gopinath Majumdar (who is on bail), there is no other material connecting the petitioner with the

crime. Under such circumstances, we are of the opinion petitioner may be enlarged on bail.

Therefore, the accused/petitioner, namely **Chranjit @ Chiranjit Sikdar @ Chiron**, be released on bail upon furnishing 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 the NDPS Act, Malda subject to condition that the said petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever or commit similar offences in future.

In the event he fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application for bail, thus, stands **allowed**.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)