

11.07.2023
Sl.Nos. 45
Ct. No.3
KB

CALCUTTA HIGH COURT
In the Circuit Bench at Jalpaiguri
Criminal Revisional Jurisdiction
Appellate Side

CRR 46 of 2023

Pankaj Mridha @ Pankaj Mirdha
Vs.
The State of West Bengal

Mr. Rajesh Kumar Sharma
Mr. Deboshi Dhar
Mr. Bickey Sharma

.... For the petitioner

Mr. Aditi Sankar Chakraborty
Mr. Nilay Chakraborty

.... For the State

This revisional application has been filed with a prayer for modification of the order dated 06.07.2022 along with the prayer for return of the vehicle in connection with C.R. NDPS Case No.66 of 2022 corresponding to Khoribari P.S. Case No. 192 of 2022 dated 25.05.2022 under Section 21(b) and 22 (b) of the NDPS Act.

The owner of the vehicle has filed this revisional application with a prayer for modification of the bank guarantee of Rs.5,50,000/-.

Learned advocate appearing on behalf of the State has submitted that this is a case involving NDPS case and prayer for modification of bank guarantee may be refused.

From the order impugned, it is found that the owner of

the vehicle not being the accused made a prayer for getting return of the vehicle alleged to have been involved in this case and that was allowed by the learned Special Judge on various conditions along with the order furnishing bank guarantee of Rs. 5,50,000/-.

It is submitted on behalf of the petitioner that the vehicle was purchased on loan and since the date of passing the order on 06/07/2022 the vehicle was lying with the Khoribari Police Station.

There is no use in keeping the vehicle lying idle in the Police Station and this will only deteriorate the condition of the vehicle and at one point of time it will be of nobody's use.

In the aforesaid facts and circumstances, furnishing bank guarantee is being modified with a direction to furnish supurdagnama of Rs.5,50,000/- with two sureties of Rs.2,75,000/- each.

With the aforesaid observation, the instant revisional application stands disposed of.

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

Urgent photostat certified copy of this order, if applied for, be given to the parties, upon compliance of necessary formalities.

(Bibhas Ranjan De, J.)