

12.07.2023
Item no.70.
Court No.01.
S. De
(Allowed)

Circuit Bench of Calcutta High Court
at Jalpaiguri

CRM (NDPS) No. 465 of 2023

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 09.06.2023 in connection with Bhaktinagar Police Station Case No. 281 of 2022 dated 14.03.2022 under Sections 21(c)/22(c) of the Narcotic Drugs and Psychotropic Substance Act.

And

In the matter of : Thakur Sha @ Veer Sha.

....Petitioner.

Mr. Anirban Banerjee,for the Petitioner.

Mr. Aditi Shankar Chakraborty, Ld. APP,
Mr. Subhasish Mishra,for the State.

Heard learned advocate for the petitioner and learned advocate for the State at length.

It is contended that nothing was seized from the possession of the present accused petitioner to implicate him in the instant case.

In course of his submission, learned advocate for the State draws our attention to page no. 87 of the case diary wherefrom it appears that the name of the present accused petitioner transpired from the version of one co-accused. Nothing has been stated to have been seized from the possession of the present accused petitioner. Considering the circumstances, prayer for bail is allowed.

Accordingly, we direct that the petitioner, namely **Thakur Sha @ Veer Sha** shall be released on bail upon furnishing a bond of Rs.20,000/- , with two registered sureties of like amount each, to the satisfaction of the learned Judge, Special Court (under NDPS Act), Jalpaiguri on condition that the present accused petitioner shall appear before the Trial Court on each date of substantive hearing subject to the provisions of Section 317 Cr.P.C. and with a further condition that the petitioner shall not leave the territorial jurisdiction of the learned Trial Court till conclusion of the trial unless such condition has been relaxed by the learned Trial Court.

In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

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

(Partha Sarathi Sen, J.)

(Arijit Banerjee, J.)