

06.07.2023
Item no.43
Court No.1.
AB
(Allowed)

**Calcutta High Court
In the Circuit Bench at Jalpaiguri**

CRM (NDPS) No. 509 of 2023

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with Kalimpong Police Station Case No.311 of 2022 Dated 22.12.2022 under Sections 22(C) NDPS Act

And

In the matter of : Kimat Singh

.....Petitioner.

Ms. Supriya Debnathfor the Petitioner.

Mr. Tapan Bhattacharya,
Mr. Arjun Chowdhuryfor the State.

Heard learned Advocate for the petitioner and learned Advocate for the State.

We have perused the material in the case diary wherefrom it appears that contraband articles below commercial quantity are alleged to have been recovered from the possession of the petitioner. It is further submitted that charge sheet has already been submitted.

Learned Advocate for the State opposes the prayer for bail.

Such being the position, we are inclined to grant bail to the present accused petitioner.

Accordingly, we direct that the petitioner, namely Kimat Singh shall be released on bail upon furnishing a bond of

Rs.10,000/-, with two registered sureties of like amount each, to the satisfaction of the learned Judge, Special Court under the NDPS Act at Kalimpong, and on further 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 shall not intimidate the witnesses and/or tamper with evidence and/or commit any cognizable offence in any manner whatsoever.

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.

Urgent Photostat Certified copy of this order, if applied for, be supplied expeditiously after complying with all necessary legal formalities.

(Partha Sarathi Sen, J.)

(Arijit Banerjee, J.)