

02.04.2024.
16.
Ct.No.28.
as
(Allowed)

C.R.M. (NDPS) 571 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Sankrail P. S. Case No.331 of 2023 dated 06.05.2023 under Section 20(b)(ii)(C) of the NDPS Act.

In the matter of : **Kripa Sindhu Pradhan.**

.... Petitioner.

Mr. Tapodip Gupta,
Sk. Toslim Ali,
Mr. Suman Bhanja.

...for the Petitioner.

Mr. Subhamoy Bhattacharya,
Mr. Prakash Mishra.

...for the State.

1. Petitioner is in custody for 158. He submits no narcotics was recovered from his possession. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the bail prayer. He submits 182.980 kgs. of ganja was recovered from one Akhtar Ali @ Jacky. Pursuant to his statement petitioner was apprehended. Call detail records (for short CDRs) show telephonic conversations between petitioner and said Akhtar Ali @ Jacky and others. Further investigation is still in progress.
3. We have considered the materials on record. No narcotics was recovered from the petitioner. His complicity is based on CDRs collected during investigation showing phone calls between petitioner and co-accused from whom narcotics was recovered. Contents of the telephonic conversations are

unknown. He is in custody for a considerable period of time. But investigation is still continuing.

4. Under such circumstances, we are inclined to grant bail to him subject to conditions.

5. Accordingly, the petitioner viz., **Kripa Sindhu Pradhan** 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 local, to the satisfaction of the learned Judge, Special Court under the N.D.P.S. Act, Howrah subject to condition that he 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 and on further condition that the petitioner while on bail shall remain within the district of Howrah and shall provide the address where he shall reside to the Investigating Officer as well as the court below and report to the Investigating Officer of the case once in a week until further orders.

6. In the event petitioner fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

7. This application for bail is, thus, disposed of.

(Gaurang Kanth,J.)

(Joymalya Bagchi, J.)

