

07.11.2024.
52.
Ct.No.28.
as
(Allowed)

C.R.M. (NDPS) 1626 of 2024

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection NDPS Case No.26 of 2024 arising out of Hili P. S. Case No.85 of 2024 dated 11.06.2024 under Sections 20(b)(ii)B/21(C)/22(C)/23(C)/27A of the NDPS Act.

In the matter of : ***Pranto Mondal @ Panto Mandal.***

.... Petitioner.

Mr. Kaushik Chaudhury,
Ms. Munmun Dutta.

...for the Petitioner.

Mr. B. Bhattacharyya,
Mr. S. Kundu.

...for the State.

1. Petitioner contends no narcotics was recovered from his possession. Hence, he prays for bail.
2. Learned Advocate for the State opposes the bail prayer. He submits petitioner had escaped from the place of occurrence. Investigation is in progress.
3. We have considered the materials on record. No narcotics was recovered from the possession of the petitioner. His complicity has transpired from the statement of co-accused before police officer which is inadmissible in evidence. Investigation has progressed for more than three months but no corroborative evidence to implicate the petitioner has transpired.
4. Under such circumstances, we are of the opinion petitioner has been able to rebut statutory restrictions under Section 37 of the NDPS Act and may be enlarged on bail.

5. Accordingly, the petitioner viz., **Pranto Mondal @ Panto Mandal** 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 NDPS Act, Balurghat, Dakshin Dinajpur 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 Officer of the case once in a week until further orders.

6. In the event the 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.)