

S/L. 24.

May 14, 2014.

MNS.

C.R.M. No. 4985 of 2014

In re: An application for bail under Section 439 of the Code of Criminal Procedure filed on April 4, 2014 in connection with N. D. P. S. Case No. 2 of 2014 under Section 43(b) of the Narcotic Drugs and Psychotropic Substances Act.

And

In the matter of: Kartick Kundu

...petitioner.

Mr. Sekhar Bose,
Mr. Kushal Kumar Mukherjee

...for the petitioner.

Mr. Kaushik Dey

...for the Union of India.

Heard the learned advocates appearing on behalf of the respective parties.

The accused/petitioner is seeking bail in connection with a case relating to offences punishable under Section 43(b) of the Narcotic Drugs and Psychotropic Substances Act.

We have considered the case diary and the materials-on-record. In this case, charge-sheet has not, yet, been submitted. The petitioner is in custody for 99 days. In this case, commercial quantity of contraband articles are involved, but we do not find any convincing materials showing complicity of the petitioner in the alleged crime save and except the statement of co-accused. We are, therefore, of the opinion that further detention of the accused/petitioner is not necessary.

Therefore, we release the petitioner, namely, Kartick Kundu, on bail upon furnishing a bond of Rs.5,000/- (Rupees five thousand) only with two sureties of like amount, one of whom must be local, to the satisfaction of the learned Judge, Special Court under Narcotic Drugs and Psychotropic Substances Act, 1985, Jalpaiguri, on condition that the accused/petitioner shall meet the Investigating Officer once in a week till completion of the investigation.

The application for bail is, thus, allowed.

(Subhro Kamal Mukherjee, J.)

(Shib Sadhan Sadhu, J.)