

HIGH COURT OF TRIPURA

_A_G_A_R_T_A_L_A_

B.A.No.43 of 2022

For Petitioner(s) : Mr. A. Acharjee, Advocate.
For Respondent(s) : Mr. S. Debnath, Addl. P.P.

HON'BLE THE CHIEF JUSTICE (ACTING)

_O_R_D_E_R_

22/12/2022

Heard Mr. A. Acharjee, learned counsel appearing for the accused-person. Also heard Mr. S. Debnath, learned Addl. P.P. appearing for the respondent-State.

This is an application filed under Section-439 of Cr. P.C. for granting bail to the accused-person, who has been arrested by the police of R. K. Pur police Station on 06.09.2022 in case No. Special 02 of 2020 (NDPS) [in connection with R. K. Pur P.S. Case No.12 of 2020] under Sections-22(A)(b)/27(a)/29 of NDPS Act.

Brief facts leading to aforementioned police case is that on 26.01.2020 at 3015 hours received an information from 164 BN. BSF that on Sri Swapan Miah along with other persons having illegally selling some contraband drugs an Yaba Tablets to some drug paddlers at Bandoar, Udaipur keeping contraband items inside shop of the said Swapan Miah. Accordingly, the information was entered in GD vide R. K. Pur GD Entry No.03 dated 26.01.2020 as well as the matter intimated to SDPO Udaipur over telephone. After reaching the spot police and BSF personnel conducted raid and search jointly in the shop of Swapan Miah in presence of independent witnesses and SDPO Udaipur after observing all legal formalities. During search removed 65 nos. plastic vials containing powder like substance suspected to be heroin weighing total 11 gm approximately from the possession of Swapan Miah.

Thereafter, preliminary test was conducted with NDPS kit and it was confirmed that the recovered substances were NDPS material. The seized contraband drugs sealed with gala at spot and by preparing seizure list taken

into custody observing legal formalities. During inquiry from the statement of the local public it is revealed that Sri Swapan Miah and his other associates are involved with this crime and they are illegally selling contraband heroine and Yaba Tablets etc. since long to the local youth generation.

Mr. Acharjee, learned counsel appearing for the accused-person has submitted that in connection with the same case, other two accused persons also released on bail and the present accused person has been suffering from the date of arrest under judicial custody and prayed for granting bail to the accused-person. To which, Mr. S. Debnath, learned Addl. P.P. has no objection.

After hearing both sides, this Court is of the considered opinion that the accused-person, namely, Sri Ranabir Saha be released on bail on furnishing a bail bond of Rs.20,000/- supported by two sureties of the like amount and a personal bond to the satisfaction of the concerned authority. It is further directed that the accused person shall appear before the concerned authority regularly as and when required for the purpose of investigation. If he is absent on the relevant time, bail granted to him shall automatically be cancelled and he shall be arrested forthwith.

In the light of the above, the present petition stands allowed and disposed of.

सत्यमेव जयते

CHIEF JUSTICE (ACTING)

A. Ghosh