

C.R.M. 10702 of 2020

(Through Video Conference)

In the matter of : An application for bail under section 439 of the Code of Criminal Procedure in connection with NDPS case No. 16 of 2020 and NCB Crime No. 08 of 2020 under section 8(c) read with section 22(c) of the Narcotic Drugs and Psychotropic Substances Act.

And

In the matter of : Bappa Das @ Bapan Das (Lady)

Mr. Bursa Khatoon

... ... for the petitioner

Mr. Y.J. Dastoor, ASG

Mr. Phiroze Edulji

Mr. Rajesh Kumar Shah

... ... for the NCB

Having considered the materials on record and bearing in mind the extent of complicity of the petitioner in the alleged crime in the light of the submission that no narcotic substance was recovered from his possession, we are of the opinion that the petitioner has been able to rebut the statutory restrictions under section 37 of the NDPS Act and he may be granted bail.

Accordingly, the petitioner 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 NDPS Act, Dakshin Dinajpur subject to the condition that the petitioner 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.

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

The application for bail is, thus, allowed.

The parties shall act in terms of the copy of the order downloaded from the official website of this court.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)