

23.09.2021
Item no.71.
Court No.32.
AB
(Allowed)

(Via Video Conference)

CRM No. 4648 of 2021

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 30.6.2021 in connection with Bizpur Police Station Case No.22 of 2020 Dated 15.1.2020 under Sections 21(C)/29 of the NDPS Act

And

In the matter of : Salma Bibi @ Punia

.....Petitioner.

Mr. Debapratim Guha,
Ms. Anchita Sarkarfor the Petitioner.

Mr. Ranadeb Senguptafor the State.

The petitioner's prayer for bail was rejected four times by this Court. The ground for such rejection was that the petitioner is the wife of Md. Noor Alam, the main accused and kingpin of the entire incident.

Our attention has been drawn to an order dated June 7, 2021 passed by the learned Trial Court whereby the petitioner's husband has been granted bail.

In view of the aforesaid and there being no recovery from the petitioner, we are inclined to extend the same privilege to the petitioner, the restriction in Section 37 of the NDPS Act

not being applicable as there was no recovery from the petitioner.

Accordingly, we direct that the petitioner, namely Salma Bibi @ Punia 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 at Barrackpore, and on further conditions that she shall remain within the jurisdiction of the concerned police station until further orders.

The petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)

