

24.12.2021
Item no.36
Court No.32
Avijit Mitra

C.R.M. 8038 of 2021

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure;

And

In Re : Ratna Sarkar

.... petitioner

Mr. Debabrata Ray,
Ms. Karabi Roy

....for the petitioner

Mr. Binay Panda,
Mr. Subham Bhakat

..... for the State

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioner in connection with Krishanganj Police Station Case No. 218 of 2021 dated 11.09.2021 under sections 20(b)(ii)/B of the N.D.P.S. Act.

Heard learned advocates appearing for the respective parties and considered the materials in the case diary.

It appears that intermediate quantity of contraband substance was recovered from the possession of the petitioner. In view thereof, the rigors of Section 37 of the N.D.P.S. Act are not attracted. The petitioner is a lady and *prima facie*, there is no likelihood that she would flee from justice. In the said conspectus, we are of the opinion that further detention of the petitioner, who is in custody since 11th September, 2021, is not necessary, more so when, upon completion of investigation chargesheet has also been submitted.

Accordingly, we allow this application and direct that the petitioner, namely, **Ratna Sarkar**, 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 a local, to the satisfaction of the learned Judge, Special Court under N.D.P.S. Act, Nadia at Krishnagar. The petitioner shall also attend the learned trial court on all the dates, as specified for hearing.

The petitioner shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

It is made clear that in the event the petitioner fails to comply with the aforesaid directions without any justifiable cause, the learned trial court would be at liberty to cancel the petitioner's bail without any further reference to this Court.

The application for bail being C.R.M. 8038 of 2021 is disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)