

29.08.2022
cm/ct 28
sl no. 8

C.R.M. (NDPS) No. 975 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Kulti Police Station Case No. 61 of 2022 dated 28.01.2022 under Sections **21(b)** of the Narcotic Drugs and Psychotropic Substances Act.

And

Allowed

In Re : Maina Saha

..... petitioner

Mr. Avik Ghatak
Mr. Amit Ranjan Pati

..... for the petitioner

Mr. Saibal Bapuli, Ld. A.P.P.
Mr. Bibaswan Bhattacharya

..... for the State

Petitioner was granted bail by a coordinate Bench of this Court in CRM(NDPS) 403 of 2022. Due to misunderstanding she was unable to appear before the trial court and warrant of arrest was issued. She voluntarily appeared before the court and was remanded to custody. She is presently in custody for 40 days. She prays for bail.

Learned lawyer for the State opposes the prayer for bail.

We have considered the materials on record. Allegation involve recovery of intermediate quantity of narcotics i.e. 40 grms of heroin. Due to misunderstanding the petitioner was unable to appear before the court and voluntarily surrendered thereafter. Under such circumstances, we are inclined to grant bail to the petitioner, however, subject to strict conditions.

Accordingly, the petitioner 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, Asansol at Paschim Bardhaman on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever and petitioner while on bail shall remain within the jurisdiction of Kulti police station except for the purpose of attending court proceedings and shall report to the Officer-in-Charge of Kulti police station once in a week until further orders.

In the event petitioner fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel her bail automatically without reference to this court.

The application being CRM(NDPS) No. 975 of 2022 is disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)