

03.02.2023

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Allowed

C.R.M. (NDPS) No. 170 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Gangarampur Police Station Case No. 590 of 2016 dated 25.11.2016 under Sections 22/25/27 of the NDPS Act and charge-sheet submitted under Sections 22/25/27 of the NDPS Act.

And

In Re : Joshoda Ray @ Joshoda Roy petitioner

Mr. Kaushik Chaudhury
Ms. Busra Khatun

.....for the petitioner

Mr. Swapan Banerjee
Mr. Suman De

.....for the State

Learned Counsel for the petitioner submits petitioner is in custody for 32 days. It is also submitted that investigation is complete. She prays for bail.

Learned Counsel appearing for the State opposes the prayer for bail.

We have considered the materials on record. Contraband has already been seized. Investigation is complete. Under such circumstances, we are inclined to grant bail to the petitioner.

Accordingly, we direct that 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, Balurghat, Dakshin Dinajpur, subject to conditions that she 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 she fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel her bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)