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***Calcutta High Court
In the Circuit Bench at Jalpaiguri***

CRM (NDPS) 156 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed on 31.01.2023 in connection with Pradhan Nagar Police Station Case No. 157 of 2022 dated 24.02.2022 under Sections 21(c)/22(c) of the NDPS Act, 1985.

In the matter of : Anra Khatun

... petitioner

Ms. Aratrika Chanda

...for the petitioner

Mr. Saikat Chatterjee,
Mr. Chattu Roy

.....for the State.

Heard learned counsel appearing for the parties.

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

We find that the petitioner has an acute kidney problem and one kidney is non-functional. That apart, there are certain irregularities and illegalities in the search and seizure process, particularly, the Gazetted officer, who signed the seizure list, was a member of the raiding party.

Accordingly, CRM (NDPS) 156 of 2023 is allowed, thereby granting bail to the petitioner on condition that the petitioner shall furnish a bond of Rs. 5,000/- (Rupees Five

Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Sessions Judge, (under NDPS Act), Second Court at Siliguri. The petitioner shall not leave the territorial jurisdiction of the trial court during the entire period of trial and shall attend trial on each and every date. Moreover, the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade such person from disclosing such facts to the court or to any police officer or tamper with evidence in any manner whatsoever.

CRM (NDPS) 156 of 2023 is, accordingly, disposed of.

(Sabyasachi Bhattacharyya, J.)

(Rai Chattopadhyay, J.)