

D/L. 76
February 10, 2023
MNS

Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Side

CRM (NDPS) 165 of 2023

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 01.02.2023 arising out of Matigara Police Station Case No. 687 of 2020 dated 15.07.2020 under Section 21(c) and 23(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of: Puspa Begum @ Puspa Begam

.... Petitioner

Mr. Aniruddha Biswas,
Mr. Abhay P. Chatterjee,
Ms. Rima Sarkar,
Ms. Siddi Sethiya,
Mr. Sourav Sarkar

... for the petitioner

Mr. A. S. Chakraborty,
Mr. Kallol Nag

... for the State.

In view of the extreme nature of urgency involved, we take up this matter out of turn upon being mentioned by the petitioner.

Learned counsel for the petitioner submits that the petitioner is in custody for about two years six months with a suckling baby, who is about four years of old, who is also behind the bars with her mother.

It is, moreover, submitted that the husband of the petitioner, who was the sole bread earner of the family, met with a serious accident and, as such, is not being able to earn livelihood at present.

Keeping the above facts in mind, despite specific objection of the State, we are inclined to grant bail to the petitioner.

Accordingly, CRM (NDPS) 165 of 2023 is allowed, thereby granting bail to the petitioner on condition that the petitioner furnishes bond of Rs.5,000/-, 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), at Siliguri.

The petitioner shall not leave the territorial jurisdiction of the trial court during the entire period of trial and shall attend the trial on each and every date.

The petitioner shall not make any inducement, threat or promise to any person acquainted with the facts and circumstances of the case so as to dissuade such person from disclosing such facts to any police officer or the court and/or tamper with the evidence in any manner whatsoever.

(Sabyasachi Bhattacharyya, J.)

(Rai Chattopadhyay, J.)