

09.06.2023

Ct.No. 1

Item No. 25

Sb / Saswata

Allowed

***CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI***

C.R.M. (NDPS) 397 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with Matigara PS case no. 621 of 2022 dated 27.05.2022 under Section 21(C) of the NDPS Act, 1985.

And

In the matter of : **Ruksana Begum**

...petitioner

Mr. Sourav Ganguly

...For the petitioner

Mr. Kallol Acharjee

Mr. Saikat Chatterjee

....For the State

1. Learned Counsel for the petitioner submits that the petitioner is in custody for more than one year and is presently suffering from Gallbladder Cancer. The report filed by the Department of Health and Family Welfare, Government of West Bengal and the attested copy of the medical report forwarded by the Superintendent, Siliguti Special Correctional are placed before us.
2. Considering the physical condition of the petitioner, we feel that the petitioner is entitled to bail and the prayer for bail is accordingly **allowed** on the following conditions:-
 - i. We direct the petitioner to be released on bail upon furnishing a bond of

Rs.10,000/- (Rupees Ten Thousand only)
with two sureties of like amount each,
one of whom must be local to the
satisfaction of Learned Judge, Special
Court under NDPS Act, at Siliguri.

- ii. The petitioner shall attend each and every date of trial.
- iii. The petitioner shall not leave the jurisdiction of the jurisdictional Court without prior permission of the Court.
- iv. The petitioner shall not intimidate the witnesses and tamper with the evidence in any manner whatsoever.
- v. In the event of non-compliance of any of the conditions enshrined above, the bail shall stand automatically cancelled without further reference to this Court.

3. CRM (NDPS) 397 of 2023 is, accordingly, **disposed of**.

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

(Raja Basu Chowdhury, J.)

(Soumen Sen, J.)