

07.07.2023
Item no.27.
Court No.01.
S.De
(Allowed)

Circuit Bench of Calcutta High Court
at Jalpaiguri

CRM (NDPS) No. 457 of 2023

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with Siliguri Police Station Case No.802 of 2022 Dated 20.08.2023 under Section 21(c) and 29 of the Narcotic Drugs and Psychotropic Substances Act.

And

In the matter of: Smt. Saina Begam @ Begum.
.....Petitioner.

Ms. Rima Sarkar,
Ms. Sidhi Sethia,for the Petitioner.

Mr. Tapan Bhattacharjee,
Mr. Kallol Nag,
.....for the State.

The petitioner is charged with offence punishable under the Narcotic Drugs and Psychotropic Substances Act. Charge-sheet has been submitted. The petitioner says that she has been in custody for nine months. She prays for bail.

Learned advocate for the State opposes the prayer for bail. He contends that there are sufficient incriminating material against the petitioner.

We have considered the material on record. Investigation is complete. Trial is yet to commence. The petitioner is a cancer patient which is not disputed.

In view of the above, we are inclined to exercise our discretion in favour of the petitioner.

Accordingly, we direct the petitioner, namely, **Smt. Saina Begam @ Begum** shall be released on bail upon furnishing a bond of Rs.10,000/- with two registered sureties of like amount each, to the satisfaction of the learned Additional Sessions Judge 2nd Court (Special Court under NDPS Act) at Siliguri.

The application for bail is, accordingly, allowed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Partha Sarathi Sen, J.)

(Arijit Banerjee, J.)