

04.03.2024.
16.
Ct.No.28.
as
(Allowed)

C.R.M. (NDPS) 425 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Special Case No.177 of 2022 arising out of Kaliachawk P. S. Case No.1134 of 2022 dated 05.10.2022 under Sections 22(c)/27A/29 of the NDPS Act.

In the matter of : **Jasmin Bibi @ Jajmin Bibi.**

.... Petitioner.

Mr. Sandip Chakraborty,
Mr. Kaustav Das.

...for the Petitioner.

Mr. Iqbal Kabir.

...for the State.

1. Petitioner is in custody for one month. She submits she is a lady and had no role to play in illegal dealing in narcotics. Accordingly, she prays for bail.
2. Learned Advocate for the State opposes the bail prayer. He contends 1.753 kgs. of heroin was recovered from the house of one Kalu Sk. and Miskad Sk. Petitioner is a relative and used to reside in the said house.
3. We have considered the materials on record. Petitioner is relation of Miskad Sk. and Kalu Sk. It is alleged narcotics was recovered from the residence of said Miskad Sk. Miskad is on bail.
4. Under such circumstances, we are of the opinion further detention of the petitioner is not necessary and she may be released on bail.
5. Accordingly, the petitioner viz., **Jasmin Bibi @ Jajmin** 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 the N.D.P.S. Act, Malda subject to condition 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 or commit similar offences in future.

6. In the event petitioner 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.

7. This application for bail is, thus, disposed of.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)