

19.06.2024
Item no.09.
Court No.28.
S. De
(Allowed)

CRM (NDPS) No. 913 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 10.06.2024 in connection with Hili Police Station Case No. 63 of 2023 dated 23.03.2023 under Sections 21(C)/22(C)/23(C)/27A of the Narcotic Drugs and Psychotropic Substances Act.

And

In the matter of : Doli Barman.

.....Petitioner.

Mr. Biswajit Manna,
.....for the Petitioner.

Mr. Partha Pratim Das,
Mr. Ratul Ghosh,for the State.

The petitioner says that he is in custody for 130 days.

No contraband item was recovered from her. The main accused is her son Surojit.

Learned advocate for the State opposes the prayer for bail. He says that the contraband items were seized from the house of the petitioner. He refers to the seizure list. He says that the first witness is going to be examined on July 18, 2024.

We have seen the material in the case diary. The seizure list is ambiguous. At the top it says that the place of seizure is B.P. No.284/MP. However, on the second page of the seizure list, it is stated that the contraband was recovered from the house of the petitioner.

In view of the aforesaid inconsistency and also given the fact that the charge-sheet has been filed upon completion of investigation, we are of the view that further detention of the petitioner may not be necessary.

Accordingly, we direct that the petitioner, namely, **Doli Barman** shall be released on bail upon furnishing a bond of Rs.25,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Special Judge under the N.D.P.S. Act at Balurghat, Dakshin Dinajpur and on further conditions that she shall remain within the jurisdiction of the concerned police station.

The petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence and/or commit any cognizable offence in any manner whatsoever.

In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

CRM (NDPS) No. 913 of 2024 is disposed of.

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

(Gaurang Kanth, J.)

(Arijit Banerjee, J.)

