

04.09.2024
Item no. 75.
Court No.28.
AB
(Allowed)

CRM (NDPS) 1368 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Airport Police Station Case No.88 of 2022 Dated 1.3.2022 under Section 21C/29 of the NDPS Act

And

In the matter of : Salea BibiPetitioner.

Mr. Anshuman Chakraborty
Mr. S. S. Sahafor the Petitioner.

Mr. S. S. Imam
Mr. S. Basu Roychoudhuryfor the State.

Dictated by Arijit Banerjee, J.

1. The petitioner renews her prayer for bail on the ground of parity citing an order dated July 16, 2024, passed by a Coordinate Bench in CRM (NDPS) 1108 of 2024, whereby a co-accused person, namely, Rosonara Bibi was enlarged on bail, primarily on the ground of delay in progress of the trial. The petitioner says that she stands on the same footing as Rosonara Bibi.
2. While opposing the prayer for bail, learned State Counsel, in his usual fairness, does not dispute that this petitioner and the said Rosonara Bibi are similarly circumstanced.
3. Solely on the ground of parity, we allow the petitioner's prayer for bail.

4. Accordingly, we direct that the petitioner, namely **Salea Bibi** 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 Judge, Special Court under the NDPS Act at Barrackpore, North 24 Parganas, and on further conditions that she shall not leave the jurisdiction of the concerned police station until further orders and shall cooperate with the investigation.
5. 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.
6. 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.
7. The application for bail is, accordingly, allowed.
8. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Arijit Banerjee, J.)

(Prasenjit Biswas, J.)

