

CRM (NDPS) 1423 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with **NCB Crime No. 01/NCB/KOL/2023 under Sections 8(c) & 20(b)(ii)(c)** of the Narcotic Drugs & Psychotropic Substances Act 1985.

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In the matter of : Jarina Bibi.

.... Petitioner.

Mr. Tapas Kr. Ghosh,
Mr. Tanmoy Chowdhury,
Mr. Arunava Ganguly,

... For the Petitioner.

Mr. Gouranga Kumar Das,
Ms. Jayita Dhar,

... For the NCB.

Order dictated by Arijit Banerjee, J.

1. The petitioner says that there was no recovery from her. The other co-accused persons used her car for dealing in drugs. She is in custody for 88 days. She suffers from various ailments. She had no knowledge that her car would be used for illegal purposes. She prays for bail.
2. Opposing the prayer, learned counsel for NCB says that the Call Details Reports reveal that there are exchange of phone calls between this petitioner and other accused persons.
3. We have considered the material-on-record. Chargesheet has been submitted upon completion of investigation. The petitioner is a 56 years old lady.

4. On an overall consideration of the facts and circumstances of the case, we are of the view that further custodial detention of the petitioner is not necessary.
5. Accordingly, we direct that the petitioner, namely, **Jarina 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), Hooghly and on further conditions that she shall not leave the jurisdiction of the concerned police station and shall co-operate with the Officer-in-Charge of the concerned police station.
6. 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 in any manner whatsoever.
7. 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.
8. The application for bail is, accordingly, allowed.
9. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(**Apurba Sinha Ray, J.)**

(**Arijit Banerjee, J.)**