

01.05.2024
SL No.57
Court No.1
(gc)
(Allowed)

***Circuit Bench of Calcutta High Court
At Jalpaiguri***

CRM (NDPS) 167 of 2024

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Alipurduar Police Station Case No.192/2023 dated 01.06.2023 under Sections 20(b)(ii)(c)/25/29 of the NDPS Act, 1985.

And

In the matter of : **Pinki Sarkar**

- Petitioner.

Mr. Jaydeep Kanta Bhowmik,
Mr. Sayantan Bhowmik,
Mr. Tushar Debnath,
Ms. Sayantani Das,
Mr. Shubham Kumar

....For the Petitioner.

Mr. Aditi Shankar Chakraborty, Ld. APP
Mr. Aniruddha Biswas

...For the State.

1. Learned Counsel for the petitioner renews the prayer for bail after the earlier application for bail was rejected on 22.01.2024. Learned Counsel for the petitioner submits that the charge-sheet has been filed and the petitioner is having two children who require her attention and presence. It is further submitted that subsequent to the order of rejection by the order dated 22.01.2024, another co-accused person, namely, Uday Lal Roy was granted bail by a Coordinate Bench on 08.03.2024 and on parity of reasoning this application has been filed today.

2. Learned Counsel for the State while opposing the prayer for bail, however, has fairly submitted that Uday Lal Roy and the present petitioner stand on the same footing.
3. In view of the fact that the present petitioner stands on the same footing as Uday Lal Roy who has been granted bail on 08.03.2024 and the fact that the charge-sheet has already been filed, we allow the prayer for bail.
4. The petitioner, **Pinki Sarkar**, shall accordingly 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 NDPS Act, 1985) 1st Court, Jalpaiguri. The petitioner shall not induce or influence witnesses or tamper with evidence in any manner whatsoever. The petitioner shall also make herself available for the trial as and when the petitioner is required and shall also not leave the local limits of the concerned Police Station during the entire period of trial without obtaining leave from the learned Court.
5. Accordingly, the application for bail is disposed of.
6. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Partha Sarathi Sen, J.)