

13.05.2024.
27/tkm

Allowed

and

..... Petitioner

...for the Petitioner

...for the State

1. Heard learned lawyers for the parties.
2. We have considered the materials on record. No narcotics was recovered from the petitioner. His complicity has transpired from the statement of co-accused before police officer which is inadmissible in evidence.
3. Under such circumstances, we are of the opinion petitioner has been able to rebut statutory restrictions under section 37 of the NDPS Act and he may be granted anticipatory bail.
4. Accordingly, the petitioner 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, Alipurduar on condition that the petitioner shall appear

before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

5. In the event she fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel her bail automatically without reference to this court.

6. The application being CRM (NDPS) 205 of 2024 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)