

JPD-24
Ct No.01
29.07.2024
TN

Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Side

CRM (NDPS) 356 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Jaigaon** Police Station Case No. **102** of **2024** dated **19.05.2024** under Sections **17(b)/29** of the **NDPS Act, 1985**.

And

In the matter of: **Jarifa Khatun and others**

.... petitioners

Mr. Anirudha Biswas,
Mr. Kanak Mishra

... for the petitioners

Mr. Kallol Acharja,
Mr. Biswarup Roy

... for the State

1. Learned counsel for the petitioners makes out a strong case for grant of bail. All the petitioners are mothers of minor children. Secondly, they were arrested on the basis of the statement of co-accused persons and the quantity recovered, which was not from any of the petitioners, was intermediate.
2. In such view of the matter, there is no question of the rigours of Section 37 of the NDPS Act being attracted to the petitioners.
3. Accordingly, CRM (NDPS) 356 of 2024 is allowed, thereby granting bail to the petitioners on condition that the petitioners shall furnish a bond of Rs.1,000/- each, with two sureties of like

amount each, one of whom must be local, to the satisfaction of the learned Sessions Judge (Special Court, NDPS Act) at Alipurduar. The sureties may be common for all the petitioners.

4. The petitioners shall not leave the territorial jurisdiction of the trial court without the leave of the Trial Judge during the entire period of trial and shall attend each and every date of trial.
5. Further, the petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts and circumstances of the case so as to dissuade such person from disclosing such facts to any police officer or the court and/or tamper with the evidence in any manner whatsoever.

(Sabyasachi Bhattacharyya, J.)

(Prasenjit Biswas, J.)