

13.08.2024.

Item No. 3
Court No.1
ap

*CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE*

C.R.M. (NDPS) No. 405 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure, 1973 filed on 30.07.2024 in connection with Jaigaon Police Station Case No. 115 of 2024 dated 30.05.2024 under Sections 21(c) and 29 of the NDPS Act, 1985.

And

In the matter of: **Ranjana Das.** ...petitioner.

Ms. Rima Sarkar,
Ms. Sidhi Sethia. ...For the petitioner

Mr. Nilay Chakraborty, ld. APP,
Ms. Sukanya Adhikary.For the State

1. The application for bail is canvassed on the ground that the petitioner is in custody for 58 days. The principal ground urged is that the contraband was found inside the main gate and not inside the house.

2. Counsel for the petitioner submits that the husband of the petitioner is the principal accused and the house stands in the name of her husband.

3. Counsel for the State places the case diary, which indicates that the principal accused is the husband. He further submits that the petitioner is a housewife. He also submits that the petitioner has no history or antecedent of any crime under the NDPS Act or otherwise.

4. Having regard to the above, this Court is inclined to enlarge the petitioner on bail.

5. Let the petitioner be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of Rs.5,000/- each, one of whom must be local, to the satisfaction of the Learned Judge, Special Court under NDPS Act, 1985, Alipurduar subject to the condition that after release, the petitioner shall attend the Court below on all the dates, as specified for hearing.
6. It is made clear that in the event the petitioner fails to comply with the aforesaid direction without any justifiable cause, the learned Trial Court would be at liberty to cancel her bail without any further reference to this Court.
7. C.R.M. (NDPS) No. 405 of 2024 is, thus, disposed of.
8. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Ajay Kumar Gupta, J.)

(Rajasekhar Mantha, J.)