

20.08.2025
Court No.29
Item No.65
(Allowed)

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION**

CRM (NDPS) 793 of 2025

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In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 24.6.2025 in connection with Berhampore Police Station Case No. 1845 of 2024 dated 15.11.2024 under Sections 21(c)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985;

And

In the matter of :**Morjina Bibi.**

...Petitioner.

Mr. Jisan Iqubal Hossain.

...For the Petitioner.

**Mr. Abhishek Sinha,
Ms. Ankita Paul.**

...For the State.

1. Prosecution case is that 50 bottles of cough syrup containing codeine phosphate were recovered from the possession of Rajesh Sk. and the name of the present petitioner transpired from the co-accused statement. The petitioner is in custody for about 90 days.
2. Learned Counsel appearing on behalf of the petitioner submits that other co-accused, whose name was also transpired from the co-accused statement, has already obtained anticipatory bail in connection with CRM (A) 1871 of 2025 and the present petitioner is almost on the same footing and, as such, she may be released on bail on any terms and conditions.
3. Learned Counsel appearing on behalf of the State opposes the bail prayer. However, in his usual fairness, he submits that the name of the petitioner transpired from the co-accused statement and nothing was recovered from his possession during investigation. He further submits that no criminal antecedent has been found nor there is any allegation of money trailing against the present petitioner and no CDR also could be detected in respect of the present petitioner and, as such, he leaves the prayer of the present petitioner to the discretion of the Court.
4. Having heard the learned Counsel for the petitioner and the State

and since no contraband was recovered from the possession of the petitioner, the rigor of Section 37 of the NDPS Act may not attract in respect of the present petitioner and that the present petitioner is almost on the same footing with that of the co-accused, who has obtained anticipatory bail in CRM (A) 1871 of 2025.

5. The prayer for bail made by the petitioner is allowed.
6. Accordingly, the petitioner, namely, **Morjina Bibi**, be released on bail upon furnishing a bond of Rs. 20,000/- (Rupees twenty thousand), with two registered sureties of Rs. 10,000/- (Rupees ten thousand) each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Berhampore, subject to the condition that the petitioner shall meet the Inspector in-Charge/Officer in-Charge, Berhampore Police Station once in a fortnight in between sunrise and sunset until further order and also on condition not to leave the geographical limit of Murshidabad district without taking leave of the Court until further order.
7. It is further ordered that the accused person shall not mis-use the liberty granted by this Court and he shall not tamper with any evidence orally or documentary during the trial. He shall not absent himself on any day during trial and shall not commit any offence while on bail. He shall give his cell phone number to the local police station and shall not change it without prior permission of the trial court and he shall not in any manner try to delay the trial. The petitioner shall not leave the jurisdiction of the trial court without taking leave from the Court below. In case of violation of any of the conditions the trial Court will be at liberty to cancel the bail without making any further reference to this Court.
8. Be it mentioned, that anything said herein shall not be construed as an expression of opinion on the merits of the case by this Court.
9. Accordingly, CRM (NDPS) 793 of 2025 is disposed of.
10. Urgent photostat certified copy of this order, duly applied for, be given to the parties upon compliance of all requisite formalities.

(Dr. Ajoy Kumar Mukherjee, J.)

