

CRM (NDPS) 1907 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure/Section 483 of the BNSS in connection with **N 5/2024 arising out of F No. S1 (VII)-201/2024(AIU)** dated **17.09.2024** under Sections **20(b)(II)(B)/23/29** of the NDPS Act.

- A n d -

In the matter of : Jyoti Ekka

.... Petitioner.

Mr. Angshuman Chakraborty,
Mr. S. S. Saha,

... For the Petitioner.

Ms. Manasi Mukherjee,
Mr. Bijitesh Mukherjee,

... For the Customs.

Order dictated by Arijit Banerjee, J.:

1. The petitioner says that she has been falsely implicated. Allegedly about 5 kgs of ganja was recovered from her. Charge sheet has been submitted upon completion of investigation. She prays for bail.

2. Learned Counsel for customs authorities strongly opposes the bail prayer. She says that there is sufficient incriminating evidence against the petitioner.

3. Having considered the facts and circumstances of the case and keeping in mind that intermediate quantity of contraband item is involved and that investigation is complete, we are inclined to enlarge the petitioner on bail.

4. Accordingly, we direct that the petitioner, namely, **Jyoti Ekka**, shall be released on bail upon furnishing a bond of Rs. 25,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the Learned Special Judge under the NDPS Act, Barasat, North 24 Parganas subject to condition that he

shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever and on further condition that the petitioner while on bail shall not leave the jurisdiction of the concerned Police Station until further orders.

5. In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this court.

6. The application for bail is, accordingly, allowed.

7. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)