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16-01-2025
(ct. no.29)
S. De
(Allowed)

CRM (NDPS) 1940 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, arising out of **F No. SI(VII)-199/2024 (AIU) under Section 20(b)/(ii)(B) and Section 23/9 read with Section 8** of the Narcotic Drugs & Psychotropic Substances Act 1985.

- A n d -

In the matter of : Gargi Das.

.... Petitioner.

Mr. Jayanti Narayan Chatterjee, Sr. Adv.

Mr. Debashis Banerjee,

Mr. A. Pachal,

... For the Petitioner.

Mr. Uday Shankar Bhattacharyya,

Ms. Ekta Sinha,

... For the Customs/Union of India.

Order dictated by Arijit Banerjee, J.

1. The petitioner says that she has been falsely implicated. Approximately, 8.9 kgs of Ganja was allegedly seized from her. She is in custody for 122 days. Investigation is complete. Chargesheet has been filed. She prays for bail.
2. While opposing the prayer for bail, learned counsel for the Customs/Union of India says that there is sufficient incriminating evidence against this petitioner.
3. We see that the petitioner is a lady. Investigation is complete. Intermediate quantity of Ganja being involved, the restriction in Section 37 of the N.D.P.S. Act is not attracted.
4. On an overall consideration of the facts and circumstances of the case, we are inclined to allow the petitioner's prayer for bail.
5. Accordingly, we direct that the petitioner, namely, **Gargi Das** shall be released on bail upon furnishing a bond of Rs. 25,000/

with two sureties of Rs.12,500/- each, one of whom must be local, to the satisfaction of the Learned Judge, Special Court (under the NDPS Act), Barasat, North 24-Parganas subject to the condition that the petitioner shall not leave the jurisdiction of the concerned Police Station until further orders.

6. The petitioner shall appear before the trial Court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.
7. 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.
8. The application for bail is, accordingly, allowed.
9. 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.)