

16.10.2025

Serial no. 12

Srimanta

(Bail **allowed**)

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

CRM (NDPS) 433 of 2025

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 in connection with **Siliguri** Police Station Case No. **70 of 2025** dated **02.02.2025** under Sections **21(c)/29** of the NDPS Act, 1985.

-And-

In the matter of : MAMIMA BEGUM @ BIBI & ANR.

... .. Petitioners

Mr. Kumar Shantanu,

Mr. Surajit Basu,

Mr. Taiab Sahadat,

Ms. Jasika Alam, Advocates

... .. For the Petitioners

Mr. Nilay Chakraborty,

Mr. Kallal Acharjee, Advocates

... ..For the State

1. The learned counsel for the petitioners has drawn the attention of this Court to the judicial decision passed in CRM(NDPS) 186 of 2024 passed by the Hon'ble Division Bench in the Circuit Bench of Calcutta High Court at Jalpaiguri wherein a lady from whose possession commercial quantity of contraband article was recovered, was granted bail. The learned counsel has submitted that the present petitioners are similarly circumstanced and as such they may be granted bail in view of the fact that they are in custody for 260 days.
2. The learned Counsel for the State has left the matter to the discretion of this Court. He has submitted that he knows the aforesaid Judgment passed by the Hon'ble Division Bench in the Circuit Bench of Calcutta High Court at Jalpaiguri.
3. I have gone through the said Judgment and the Hon'ble Division Bench has referred to a judicial decision of the

Hon'ble Supreme Court in Special Leave to Appeal (Criminal) No. 12168/2022 (Sahimina Biswas –Vs.- The State of West Bengal).

4. Considering the materials-on-record and also the fact that the investigation has been completed and petitioners have children to look after, I am inclined to grant bail to the petitioners on certain conditions.
5. Accordingly, I direct that the petitioners, namely **MAMINA BEGUM @ BIBI, SABANA KHATOON** shall accordingly be released on bail upon furnishing a bond of Rs. 10,000/- (Rupees Ten Thousand only) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Judge, Special Court (NDPS), 2nd Court, Siliguri with a condition that the petitioners shall appear before the learned Trial Court on each and every date of substantive hearing subject to the provision of Section 317 of the Code of Criminal Procedure.
6. It is further ordered that in the event the present petitioners fails to attend the learned Trial Court without any justification even if on a single day, learned Trial Court is at liberty to issue warrant of arrest against them.
7. It is further ordered that the present petitioners shall not leave the territorial jurisdiction of the District – Siliguri till conclusion of the trial unless permitted by the Trial Court.
8. It is further ordered that the present petitioners shall furnish their full postal address where they would reside during bail.
9. The application for bail is, accordingly, **allowed**.
10. All parties shall act in terms of the server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

