

19.02.2026

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jb.

jdt.

Allowed

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
CRIMINAL MISCELLANEOUS JURISDICTION**

C.R.M. (NDPS) 122 of 2026

In Re : An Application for bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 filed in connection with New
Coochbehar GRPS Case No. 05 of 2025 dated 08.02.2025 under
Sections 21(c)/29 of the Narcotic Drugs and Psychotropic
Substances Act.

And

In Re : Smt. Durga Sarkar

Ms. Subhasish Misra

Mr. Satyajit Paul

Mr. Rounak Ghosh

... For the Petitioner.

Mr. Abhijit Sarkar

Mr. Saikat Chatterjee

... For the State

The petitioner prays for bail primarily on the ground
that grounds of arrest were not communicated to her at the
time of arrest.

It is not in dispute that grounds of arrest have not
been communicated to the petitioner in compliance with the
mandate laid down by the Hon'ble Supreme Court in various
authorities. On that score alone, the petitioner is entitled to
be released on bail despite the fact that contraband
substance of commercial quantity has been recovered from
her possession.

Accordingly, the prayer for bail is allowed.

The petitioner namely Smt. Durga Sarkar shall be released on bail upon furnishing bond of Rs.20,000/- (Rupees Twenty Thousand only), with two sureties of like amount each, one of whom must be local to the satisfaction of the learned Additional Sessions Judge, 1st Court (NDPS) Coochbehar subject to condition that she shall remain within the jurisdiction of the learned trial Court. She shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court and shall not tamper with evidence or intimidate witnesses in any manner whatsoever.

In the event the petitioner fails to adhere to any of the conditions stated hereinabove, the learned trial Court shall be at liberty to cancel her bail in accordance with law without further reference to this Court.

CRM (NDPS) 122 of 2026 is disposed of.

Case diary be returned.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)