CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI

25.11.2026
Ct No.5
Item No.25
Chanchal

CRM (NDPS) 741 of 2026

In Re:- An application for Bail under Section 483 of the Bharatiya Ngarik Suraksha Sanhita, 2023 in connection with Siliguri Police Station Case No. 300 of 2026 dated 25.05.2026 under Sections 21(c)/ 22(c)/25/29 of the NDPS Act, 1985.

And

In Re: Momina Khatun

.....Petitioner

Ms. Madhushree Dutta, ld. Adv.
Ma. Payel Chandra

...for the petitioner

Mr. Avrojyoti Das, Ld. A.P.P., Adv.
Mr. Abhilash Mittal, Adv.

...for the State.

1. Considered the submission of the learned advocates representing the respective parties and perused the case diary.
2. The present petitioner has been in custody for more than four months and 8 days. She had been implicated *prima facie* on the statement of the co accused as apparent from the records in the case diary. There has been no recovery of narcotic substance from the possession of the petitioner. The charge-sheet has been submitted on 7th November, 2026. The presumption under Section 37 of the NDPS Act has been rebutted. In the above premise, the petitioner is entitled to be enlarged on bail.
3. Accordingly, Petitioner, namely, Momina Khatun shall furnish bond of Rs. 25,000/- (Rupees Twenty Five Thousand Only) with two sureties of like amount each, one of whom must be local to the

satisfaction of Learned Judge, Special Court under NDPS Act, Siliguri.

4. The petitioner shall be physically present on each and every date fixed before the learned Trial Court and shall not intimidate witnesses or tamper with evidence in any manner whatsoever and on further condition the petitioner shall not leave the jurisdiction of the learned Trial Court. The petitioner shall submit her address where she would be residing to the learned Trial Court along with her mobile number not to be changed without prior permission of the Trial Court and she will meet the Officer-in-Charge of the concerned Police Station once in a month until further orders.
5. In the event the petitioner fails to appear before the trial Court without justifiable cause, the trial Court shall be at liberty to cancel her bail automatically without reference to this Court.
6. Accordingly, CRM (NDPS) 741 of 2026 is allowed.
7. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.
8. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Ananya Bandyopadhyay, J.)