

C.R.M. 6579 of 2020
(Through Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with **Basirhat** P.S. Case No. **193 of 2020** dated **11/02/2020** under Sections **21(C)** of the NDPS Act.

And

In the matter of: - Anguyara Bibi

....petitioner.

Mr. P. Mukhgerjee

...for the petitioner.

Mr. S. Bardhan,

Mr. C. R. Ghosh

...for the State.

Petitioner undertakes to affirm and stamp the petition/application as per Rules within a month of resumption of normal functioning of the Court. Subject to such undertaking, the application is taken up for hearing through video conference.

Accordingly, CRAN 1 of 2020 is disposed of.

It is submitted on behalf of the petitioner that her husband was implicated in respect of a similar offence. She has been falsely implicated out of grudge.

Learned counsel appearing on behalf of the State opposes the prayer for bail.

We have considered the materials on record. We find that there is ample material to show that petitioner was arrested with narcotic substance i.e. about 10 litres of codeine mixture. In view of the aforesaid facts, we are of the opinion that plea of false implication may be assessed at the appropriate stage of the proceeding. However, keeping in mind the prima facie involvement of the petitioner and in the light of the statutory

restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner.

The application for bail is, thus, rejected.

(Kausik Chanda, J.)

(Joymalya Bagchi, J.)