

21.09.2021
Item no. 38
Court No.32.
S.De.
(Rejected)

(Via Video Conference)

CRM 3287 of 2021

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 09.04.2021 in connection with Sagarpara Police Station Case No. 12 of 2021 dated 20.01.2021 under Sections 21(c)/29 of the Narcotic Drugs and Psychotropic Substances Act.

And

In the matter of : Rojina Khatun @ Rajina Khatun.

.....Petitioner.

Mr. N.S. Ghosh Advocate,
Mr. Tapodip Gupta, Advocate,

.....for the Petitioner.

Mr. Binoy Panda, Advocate,
Mr. Subham Bhakat, Advocate,
Ms. Puspita Saha, Advocate,

.....for the State.

Commercial quantity of phensedyl was recovered from the petitioner. In view of the restrictions in Section 37 of the N.D.P.S. Act, we are not inclined to entertain the petitioner's prayer for bail.

Accordingly, CRM 3287 of 2021 is dismissed.

The petitioner says that there was non-compliance with the provisions of Section 50 of the N.D.P.S. Act and Section 103 of the Code of Criminal Procedure. The petitioner would be at liberty to urge such points before the learned Trial Court.

The petitioner further says that charge-sheet has been submitted and she is in custody for 244 days.

The State says that the Chemical Report is yet to be received. The State shall make all efforts to expedite the availability of the Chemical Report and shall file the same before the learned Trial Court within four weeks from date. The learned Trial Court is requested to generally expedite the consideration of charges and the trial to the extent the business of the Court may permit.

The Registry shall communicate this order forthwith to the learned Trial Court as also the Central Forensic Science Laboratory (CFSL).

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

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)