

24.09.2021

Court No.28
Item No.25

(RE
JE
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ED)

Saswata

CRM 4733 of 2021

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Kotwali Police Station Case No. 124 of 2021 dated 10.02.2021 under Section 20(c) of the NDPS Act;
And

In the matter of : **Pratima Roy**

...Petitioner.

Mr. Suvom Dutta

...For the Petitioner

Ms. Sreeparna Das

... For the State

The petitioner has filed the instant application for bail under Section 439 of the Code of Criminal Procedure in connection with Kotwali Police Station Case No. 124 of 2021 under Section 20(c) of the NDPS Act.

Since the Learned Public Prosecutor-in-charge, who was authorized to conduct the case on behalf of the State is absent, we request Ms. Sreeparna Das, Learned Public Prosecutor-in-charge to conduct the case on behalf of the State to which she has agreed to.

The office of the Learned Public Prosecutor is directed to regularize the appointment of Ms. Sreeparna Das.

It is learnt from the submission made by the Learned Advocate for the petitioner that heroine above commercial quantity was seized from the exclusive possession of the petitioner. Though the petitioner is in custody for 227 days, in view of the embargo under Section 37 of the NDPS Act, we are not in a position to grant relief under Section 439 of the Code of Criminal Procedure in favour of the petitioner.

In view of the above, the prayer for bail of the petitioner is ***rejected.***

The application for bail being CRM 4733 of 2021 is accordingly ***dismissed.***

(Harish Tandon, J)

(Bibek Chaudhuri,J.)

