

CRM No.7900 of 2021

Via video conference

20.12.21

(S.R.)

Sl.46

Ct.32

In re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 26.11.2021 in connection with NCB Crime No.15/NCB/KOL/2018 and Special Case No.15 of 2018 under Sections 20(b)(ii)(C) and 29 of the NDPS Act;

And

In re: Kyamera Bibi

... Petitioner.

Mr. Prosenjit Mukherjee

Mr. Arghya Kamal Das

... for the petitioner.

Mr. Y.J. Dastoor, Ld. ASG

Mr. Phiroze Edulji

...for the UOI.

Heard the learned advocates and considered the materials in the case diary.

It appears that contraband substance above commercial quantity was recovered from the joint possession of the petitioner and another co-accused, namely, Rajaul @ Rejaul Seikh. It further appears that Rajaul @ Rejaul Seikh approached this Court earlier and his prayer for bail was turned down by a Coordinate Bench of this Court on 30th September, 2021 with a request to the learned trial court to expedite the trial to the extent possible and bring the same to its logical conclusion as soon as the business of the court may permit and, preferably, within a year from date, keeping in view the already lengthy detention of the petitioner.

As there had been recovery of contraband substance above commercial quantity, the rigours of Section 37 of the NDPS are attracted. In view thereof, the petitioner's prayer for bail is rejected at this stage.

However, there is already a direction of a Coordinate Bench to conclude the trial within a year and it is expected that the learned trial court would take expeditious steps to conclude the trial within the said

time frame, without granting any unnecessary adjournment to either of the parties.

The application for bail being CRM No.7900 of 2021 is, accordingly, disposed of.

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

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)