

14.02.2022

Court No.32
rpan /54

CRM (NDPS) 50 of 2022

In Re:- An application for bail under section 439 of the Code of Criminal Procedure ;

And

In Re : **Sulekha Bibi**
- Petitioner

Mr. Arnab Chatterjee
... for the Petitioner.
Mr. Ranadeb Sengupta
... for the State.

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioner in connection with Suti Police Station Case No. 238 of 2021 dated 30.06.2021 under Sections 22(c)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

Heard the learned advocates appearing for the respective parties and considered the materials in the case diary.

It appears that contraband substance above commercial quantity was recovered from the possession of the petitioner and in view thereof, the rigours of Section 37 of the NDPS Act is attracted. As such, we are not inclined to exercise any discretion in favour of the petitioner and his prayer for bail is rejected at this stage.

Answering our query, Mr. Sengupta, learned advocate appearing for the State submits that though the chargesheet has been submitted, FSL is still awaited and upon receipt of the same supplementary chargesheet would be filed.

Mr. Chatterjee, learned advocate appearing for the petitioner submits that the petitioner is languishing in custody for 190 days.

In view thereof, this Court directs the prosecution to obtain FSL report immediately and to file the supplementary chargesheet at the earliest. Thereafter, the learned court below shall take up the question of consideration of charges on the date fixed without granting any unnecessary adjournments to either of the parties.

With the above observations, the application for bail, being CRM (NDPS) 50 of 2022 is 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.)