

CRM No.8481 of 2021

Via video conference

31.01.22

(S.R.)

Sl.17

Ct.32

In re: An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with **Basirhat** Police Station Case No.105 of 2021 dated 18/02/2021 under Section 21(c) of the Narcotic Drugs and Psychotropic Substances Act;

And

In re: Kalyani Ghosh

... petitioner.

Mr. Sekhar Pal

Mr. Arunesh Pathak

Mr. Mrinal Kanti Biswas

... for the petitioner.

Mr. Ranadeb Sengupta

...for the State.

Mr. Pal, learned advocate appearing for the petitioner submits that the petitioner is a lady and she had already suffered long incarceration since the month of February 2021. There is also no possibility towards conclusion of the trial in the near future. In the said conspectus, the petitioner may be enlarged on bail on any stringent condition.

Mr. Sengupta, learned advocate appearing for the State opposes the petitioner's prayer and submits that there had been recovery of contraband substance above commercial quantity from the possession of the petitioner. Answering our query, he submits that charge sheet was submitted in the month of February 2021 and supplementary charge sheet, upon obtaining the FSL report, has already been submitted on 17th November, 2021.

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 there had been no substantial change in the circumstances subsequent to rejection of the petitioner's

earlier prayer for anticipatory bail on 26th July, 2021. In view of the statutory restrictions, we are not inclined to exercise discretion in favour of the petitioner. As such, her prayer for bail is refused at this stage.

The learned court below is directed to take up the question of consideration of charges on the next date and to commence the trial, if charges are framed and to conclude the same as expeditiously as possible, without grating any unnecessary adjournment to either of the parties.

The application for bail being CRM No.8481 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.)