

31.03.2022
Ct. No. 29
Serial no.87
Dismissed
[AGM]

CRM 8884 of 2021

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with NDPS case No. 133 of 2015 dated 10th July, 2015 under Section 20(b)(ii)(c)/27A/28/29 of the NDPS Act.

-And-

In the matter of : Punam Devi & Anr

... .. Petitioners

Mr. Masum Ali Sardar, Advocate
Mr. Samirul Sardar, Advocate
... .. *For the Petitioners*

Mr. Y. J. Dastoor, Ld. A.S.G.
Ms. Mary Datta, Advocate
... ..*For the NCB*

Petitioners seek bail.

Learned advocate for the petitioners submits that the dates are being given by the trial Court for the purpose of recording the statement under section 313 of the Code of Criminal Procedure.

Narcotics Control Bureau is represented by the Additional Solicitor General.

It is for the accused to record his defence under Section 313 of the Code of Criminal Procedure.

We do not find that the prosecution is indolent.

Since commercial quantity of narcotics was seized from the possession of the petitioners and considering the fact that the trial is at the fag end, we are of the view that the petitioner is unable to overcome the restrictions under Section 37 of the NDPS Act.

We are not inclined to grant bail to the petitioners.
Prayer for bail of the petitioners are rejected.
CRM 8884 of 2021 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)