

04.11.2022
Sl. No.7
akd
[Rejected]

C. R. M. (NDPS) 1238 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 12.10.2022 in connection with Domkal Police Station Case No. 219 of 2022 dated 09.04.2022 under Sections 21(c)/29 of the NDPS Act. (NDPS Case No.90 of 2022)

And

In Re: ***Marjina Bibi***

... .. Petitioner

Ms. Minoti Gomes
Mr. Jisan Iqbal Hossain

... .. for the petitioner

Mr. Saibal Bapuli .. Id. Addl. Public Prosecutor
Mr. Arijit Ganguly
Mr. Sanjib Kr. Dan

... .. for the State

It was submitted on behalf of the petitioner that her divorced husband was dealing in narcotic substance.

In view of such submission, report with regard to the authenticity of such plea was called for. Such report is placed on record.

From the report it appears petitioner and her husband are residing in the same premises. From the said premises narcotic substance above commercial quantity was recovered. Hence, plea with regard to severance of marital tie ought to be taken with a pinch of salt. Husband of the petitioner is absconding.

Under such circumstances and in view of the statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner.

The application for bail is thus **rejected**.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

