

07.11.2022
Sl. No.19
akd
[Rejected]

C. R. M. (NDPS) 1305 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 29.09.2022 in connection with Bagdah Police Station Case No.391 of 2022 dated 28.05.2022 under Section 21(c) of the NDPS Act.

And

In Re: ***Sahimina Biswas***

... .. Petitioner

Mr. Jayanta Narayan Chatterjee
Ms. Nandini Chatterjee
Mr. Nazir Ahmed
Mr. Supreem Naskar
Ms. Jayashree Patra
Ms. Sreeparna Ghosh
Ms. Pritha Sinah

... .. for the petitioner

Mr. Swapan Banerjee
Mr. Suman De

... .. for the State

It is submitted on behalf of the petitioner that she is in custody for about 164 days. It is further submitted petitioner is not the principal accused.

Learned advocate appearing for the State opposes the prayer for bail.

We have considered the materials on record. Petitioner and her husband were present in the vehicle wherefrom narcotic substance i.e. 1500 pieces of *Yaba* tablets were recovered. Keeping in mind the aforesaid incriminating materials and the statutory presumptions under Sections 35/54 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.)

