

12.12.2022

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rejected

C.R.M. (NDPS) No. 1390 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Naihati Police Station Case No. 489 of 2020 dated 14.10.2020 under Section 20(c) of the NDPS Act and charge-sheet submitted under Section 21(c) of the NDPS Act.

And

In Re : Amina Bibi @ Rajni petitioner

Mr. Debasis Kar

... for the petitioner

Mr. Saryati Datta

... for the State

Heard the learned Counsels appearing for the parties.

Report submitted by the learned Counsel appearing for the State is placed on record.

From the report it appears that petitioner does not suffer from cancer. Necessary medical treatment to the petitioner is being extended in the Correctional Home.

We have gone through the materials on record. Statements of the witnesses and contemporaneous documents show recovery of narcotic substance above commercial quantity from the possession of the petitioner. 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.

Trial court is directed to expedite the trial and conclude the same at an early date preferably within one year from the next date fixed for recording evidence without granting unnecessary adjournment to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)