

13.03.2023

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rejected

C.R.M. (NDPS) No. 249 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Berhampore Police Station Case No. 557 of 2022 dated 27.04.2022 under Sections 22(c)/29 of the NDPS Act.

And

In Re : Johura Bibi @ Jojura Bibi petitioner

Mr. Anisur Rahman

... for the petitioner

Mr. Sanjoy Bardhan

Mr. Palash Chandra Majhi

... for the State

Learned Counsel for the petitioner submits she is in custody for ten months. She prays for bail.

Learned Counsel for the State opposes the prayer for bail and submits report. Let the report be kept with record.

From the report it appears supplementary charge-sheet enclosing chemical examiner's report has been submitted before the trial court. Statements of the witnesses prima facie show recovery of 75 bottles of phensedyl containing codeine phosphate above commercial quantity from a sack carried by the petitioner and co-accused.

In view of the aforesaid circumstances and 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 as expeditiously as possible without granting unnecessary adjournment to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)