

15.02.2023

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rejected

C.R.M. (NDPS) No. 254 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with S.T.F. P.S. Case No. 06 of 2021 dated 14.02.2021 under Sections 21(c)/22(c)/27A/29 of the NDPS Act.

And

In Re : Parvati Devi @ Pabitri Devi Jaiswal @ Chachi petitioner

Mr. Sujan Chatterjee
Mr. Partha Sarkar

... for the petitioner

Mr. Rudradipta Nandy, learned APP
Mrs. Sonali Das

... for the State

Learned Counsel for the petitioner submits she is in custody for 733 days. It is also contended that no narcotics was recovered from the possession of the petitioner. She prays for bail.

Learned Counsel for the State opposes the prayer for bail and submits petitioner was in a vehicle which was carrying heroin above commercial quantity. Another vehicle was carrying Yaba tablets. Both the vehicles were intercepted and narcotics recovered. Petitioner was arrested from the spot.

We have considered the materials on record. Petitioner along with co-accuseds were in a vehicle which was carrying Heroin. Another vehicle was carrying Yaba tablets. Recovery of heroin was made from the vehicle which was occupied by the petitioner and co-accuseds.

In view of the aforesaid materials on record and statutory restrictions under Section 37 of the NDPS Act, we are of the opinion that this is not a fit case to grant bail to the petitioner.

The application for bail is, thus, rejected.

Trial court is directed to consider the issue of framing of charge at the earliest and in the event charge is framed to take the proceeding to its logical conclusion without unnecessary adjournment to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)