

03.05.2023
Sl. No.16
akd
[Rejected]

C. R. M. (NDPS) 923 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 28.04.2023 in connection with Ranitala Police Station Case No.171 of 2021 dated 05.05.2021 under Section 21(c) of the NDPS Act. (NDPS Case No.83 of 2021)

And

In Re: ***Rojina Khatun @ Rejina Khatun***

... .. Petitioner

Mr. Tapodip Gupta

... .. for the petitioner

Mr. Antarikhya Basu

... .. for the State

Heard the learned Advocates appearing for both the parties.

We have considered the materials on record. Statements of witnesses including contemporaneous document i.e. seizure memo disclose recovery of narcotic substance i.e. 106 bottles of *cough syrup* containing *codeine phosphate*, which is above commercial quantity from the petitioner. Date has been fixed for consideration of charge. 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 consider the issue of framing of charge at the earliest preferably within two years from the next date fixed for recording evidence and in the event charge is framed to take the proceeding to its logical conclusion without granting unnecessary adjournment to either of the parties.

Parties shall communicate a copy of this order to the trial court for due compliance.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

