

12.05.2023
Sl. No.5
akd
[Rejected]

C. R. M. (NDPS) 962 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 01.05.2023 in connection with NCB Crime No. 06/NCB/KOL/2020 under Sections 8(c)/20(b)(ii)(c)/29/35 of the NDPS Act.

And

In Re: ***Purnima Devi***

... .. Petitioner

Mr. Soumya Basu Roy Chowdhuri

... .. for the petitioner

Mr. Kallol Kumar Basu

Mr. Prodyut Saha

... .. for the NCB

It is submitted on behalf of the petitioner that she is in custody for more than three years. It is further submitted there is slow progress in trial. Accordingly, she prays for bail.

Learned Advocate for the NCB opposes the prayer for bail and submits bail prayer of the petitioner was rejected earlier on two occasions lastly in October, 2022. Thereafter one witness has been examined in part.

We have considered the materials on record. Bail prayer of the petitioner has been rejected on merits earlier. On the score of delay, we note after rejection of bail in October, 2022 witness action has commenced. 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 at this stage.

The application for bail is thus rejected.

Trial court is directed to conduct the trial by fixing schedules at regular intervals 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. Official witnesses, if not readily available, may be examined through video linkage.

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

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)