

23.08.2023

10
sdas
rejected

C.R.M.(NDPS) No. 1427 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Nandakumar Police Station Case No. 193 of 2022 dated 22.05.2022 under Sections 20(b)(ii)(c)/29 of the NDPS Act.

And

In Re : Hafeza Khatun Bibi @ Hapija Khatun Bilai Petitioner

Mr. Amal Krishna Samanta
....for the petitioner

Mr. Swapan Banerjee
Mr. Suman De
..... for the State

1.Learned Counsel for the petitioner submits there is delay in progress of trial. Witnesses were not present on the date fixed for recording evidence. She renews her bail prayer.

2.Learned Counsel for the State opposes the bail prayer and submits bail prayer of the petitioner was rejected on merits in January, 2023.

3.We have considered the materials on record. 23.7kgs. of Ganja was recovered from the joint possession of the petitioner and co-accused. Date has been fixed for recording evidence. Under such circumstances and in view of statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner.

4. The application for bail is, thus, rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)