

17.11.2023
Sl. No.15
akd
[Rejected]

C. R. M. (NDPS) 1753 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 16.10.2023 in connection with Berhampore Police Station Case No.1370 of 2021 dated 26.11.2021 under Section 20(b)(ii)(c) of the NDPS Act. (NDPS Case No.264 of 2021)

And

In Re: ***Mamata Begum @ Bewa @ Beguni @ Mamata Bibi***
... .. Petitioner

Mr. Suman Bhanja
... .. for the petitioner

Mr. Ranadeb Sengupta
... .. for the State

1. It is submitted on behalf of the petitioner that she is in custody for about two years. It is further submitted there is delay in trial. Accordingly, she prays for bail.
2. Learned Advocate for the State opposes the prayer for bail and submits trial is in progress. Five witnesses have been examined since rejection of bail by this court.
3. We have considered the materials on record. Statements of witnesses including contemporaneous document i.e. seizure memo disclose recovery of narcotic substance i.e. 22 kgs. of *Ganja*, which is above commercial quantity from the petitioner. Her bail prayer was rejected on merits earlier. On the score of delay we note five witnesses have been examined since rejection of bail by this court. Trial is progressing at a good pace and no case for grant of bail on the ground of delay has been made out. Under such circumstances, we are not inclined to grant bail to the petitioner.
4. The application for bail is thus rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)

