

07.02.2024
Sl. No.13
akd
[Rejected]

C. R. M. (NDPS) 242 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 31.01.2024 in connection with STF Police Station Case No.08 of 2022 dated 13.03.2022 under Sections 21(c)/22(c)/27A/29 of the NDPS Act. (NDPS Case No.14 of 2022)

And

In Re: ***Nisarja Bibi @ Nisat Zeeben***

... .. Petitioner

Ms. Riya Jhapri

... .. for the petitioner

Mr. Arijit Ganguly
Ms. Baisakhi Chatterjee

... .. 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 was videography of the recovery. Accordingly, she prays for bail.
2. Learned Advocate for the State opposes the prayer for bail and submits narcotics i.e. 1.45 gms. of *Heroin* along with cash were recovered from a vehicle. Petitioner and others were present in the vehicle. Bail prayer of co-accused viz. Sudip Karmakar was rejected in August, 2023. Trial is in progress.
3. We have considered the materials on record. A large volume of *Heroin* was recovered from a vehicle. Petitioner was present in the vehicle. Bail prayer of co-accused viz. Sudip Karmakar was rejected in August, 2023. Petitioner stands on the same footing with the said co-accused. Trial is in progress. 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.
4. The application for bail is thus rejected.

5. Trial court is directed to expedite the trial 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.
6. Parties shall communicate a copy of this order to the trial court for due compliance.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)