

CRM (NDPS) 821 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Gaighata Police Station** Case No. **862 of 2021** dated **21.09.2021** under Sections **21(c)** of the NDPS Act.

- A n d -

In the matter of : Sunita Guin

.... Petitioner.

Mr. Ashok Kumar Chowdhury,

... For the Petitioner.

Mr. Arindam Sen,

Mr. Trina Mitra,

... For the State.

The petitioner renews her prayer for bail. Her prayer was rejected earlier by a Coordinate Bench by an order dated November 11, 2021 passed in CRM 6814 of 2021.

The petitioner says that only 24 bottles of phensedyl was recovered from her. She is in custody for two years nine months. It is anybody's guess as to when the trial will conclude. She had filed a criminal revisional application being CRR 4221 of 2022 for expeditious disposal of the trial. By an order dated May 22, 2023, a learned Judge of this Court disposed of such application by directing the Trial Court to make endeavour to dispose of the trial expeditiously without granting any undue adjournment. The petitioner says that in spite of such order the trial is still pending.

Admittedly, commercial quantity of contraband item is involved. In view of the restrictions in Section 37 of the NDPS Act, we are not inclined to enlarge the petitioner on bail.

CRM (NDPS) 821 of 2024 is, thus, dismissed.

However, we are told that 4 out of 7 witnesses have already been examined. Keeping in view the lengthy detention of the petitioner, we request the learned Trial Court to spare no efforts to conclude the trial at the earliest and preferably within a period of four months from the date of communication of this order excluding the official vacation of the court. This order shall be communicated to the learned Trial Court by both the parties.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)