

CRM (NDPS) 979 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Malda Town GRPS** Case No. **67 of 2023** dated **25.07.2023** under Sections **23(b)(ii)/23** of the NDPS Act.

- A n d -

In the matter of : Smt. Nayani Sarkar

.... Petitioner.

Mr. Debasis Kar,

... For the Petitioner.

Mr. Antarishya Basu,
Ms. S. Chatterjee,

... For the State.

Report filed by the State be kept with the records.

Commercial quantity of ganja was recovered from the joint possession of the accused persons. We have seen the material in the case diary.

The petitioner says that she is in custody for closed to one year. Charge is yet to be framed. She is a female and therefore, should be granted at least *interim* bail.

Learned Advocate for the State strongly opposes the prayer for bail. He says that the petitioner has antecedents.

In view of commercial quantity of ganja being involved and keeping in mind the restrictions in Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner at this stage.

CRM (NDPS) 979 of 2024 is, thus, dismissed.

However, an under-trial cannot be kept in custody forever for a lengthy period of time without bringing the trial to its logical conclusion at an early date.

We direct the learned Trial Court to do everything possible to expedite the issue of consideration of charges and if charges are framed, to conclude the trial as soon as possible, without granting unnecessary adjournments to either of the parties, particularly within 18 months from the date of framing of charges.

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.)