

29.04.2025
Item no. 29
Ct. No. 29
BD.

C.R.M. (NDPS) 229 of 2025

In Re:- An application for bail under section 439 of the Code of Criminal Procedure, 1973 corresponding to Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with NDPS Case No. N- 126 of 2018 arising out of NCB Crime NO. 32/NCB/KOL/2018 under section 8(c) of NDPS Act and under section 22 (c) and 22(b) of NDPS Act, 1985.

In the matter of : **David Blessing @ Blessing David**
.... Petitioner.

Mr. Debasish Kar
Mr. Husen Mustafi ...for the Petitioner.

Mr. Kalyan Chakraborty
Mr. Rishav Kumar Thakur ...for the NCB.

Report dated 03.03.2025 submitted by Inspector NCB Calcutta, is taken on record, states that on a reliable source information on 09.07.2018 the NCB had seized 20 numbers of paper blots believed to be LSG, 12 gms. of cocaine at the office of customs, NSCBI, Airport Calcutta from the possession of the petitioner, who is a Nigerian national, having passport bearing No. A00558128 which thereafter was found fake and which has been used for hiding identity and from illegally trafficking of drugs. Accordingly, beside prosecuting the petitioner under the NDPS Act, NCB also initiated criminal proceeding under section 465/467/468/471 of the Indian Penal Code and also under section 14 of the Foreigners Act.

Learned counsel appearing on behalf of the petitioner submits that the petitioner being a female is suffering long incarceration learned counsel appearing on behalf of the petitioner further under instruction submits that the examination of all the six witnesses have already been completed and the next date is fixed for examination of the petitioner under section 313 of the Cr.P.C.

Learned counsel appearing on behalf of the NCB opposed the prayer for bail. He contends that the conduct of the petitioner shows that if she is released on bail there is every likelihood of her abscontion and also there is every likelihood that she will commit similar type of offence. He further submits that trial will be concluded shortly.

Having considered the nature of allegations and the conduct of the petitioner as appearing from the report and that if she released on bail there is serious chance of her abscontion and that in case of releasing her on bail, committing similar types of offence, cannot be ruled out, and also considering the submissions made by the petitioner that the trial is almost on the verge of completion the prayer for bail is considered and rejected.

However, considering her long incarceration, the trial court is directed to conclude the entire proceeding preferably within a period of two months from the next date of hearing.

CRM (NDPS) 229 of 2025 is accordingly disposed of.

Urgent photostat certified copy of this order, duly applied for, be given to the parties upon compliance of all requisite formalities.

(Dr. Ajoy Kumar Mukherjee, J.)