

14.
21-03-2025
(ct. no.29)
debajyoti
(rejected)

CRM (NDPS) 238 of 2025

In re: An application for bail under Section 439 of the Code of Criminal Procedure/483 of the Bhartiya Nagarik Suraksha Sanhita in connection with Berhampore Police Station Case No.269 of 2024 dated 22-02-2024 under Sections 21(c)/25/27A/28/29 of the Narcotic Drugs and Psychotropic Substances Act.

- A n d -

In the matter of : Idani Bibi @ Idani Bewa @ Rubina Bewa
.... Petitioner.

Mr. Sekhar Basu, Sr. Adv.,
Mr. Anisur Rahman
... For the Petitioner.

Mr. Sanjoy Banerjee,
Mr. Dattatreya Dutta
... For the State.

Dictated by Arijit Banerjee, J.

1. Read order dated March 17, 2025.
2. Learned Senior Counsel, appearing for the petitioner, very fairly leaves the matter to the discretion of the Court.
3. We find from the report filed by the State that no carcinoma was detected in the petitioner. Hence, on medical ground, the petitioner's prayer for bail is not maintainable.
4. Learned Senior Counsel tells us that the petitioner is in custody since July, 2024. However, we see that 481 gms. of morphine was seized from the exclusive possession of the petitioner. That is much beyond commercial quantity of contraband items.
5. In view of the restrictions in Section 37 of the NDPS Act, we are not inclined to entertain the petitioner's prayer for bail on merits.

6. The application for bail is, thus, **dismissed**.

7. However, considering the period of detention of the petitioner, we request the learned trial Court to expedite the trial to the extent possible and conclude the same on an early date.

8. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

9. Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)