

CRM (NDPS) 802 of 2025

An application for bail under Section 439 of the Code of Criminal Procedure, 1973 read with Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Manikchak Police Station Case No. 205/2024 dated 12.03.2024 under Sections 20 (b) (ii) (C) /29 of the NDPS Act, 1985.

Kalyani Sen
Vs.
The State of West Bengal

Ms. Sabrina Parveen
.....For the Petitioner
Ms. Amita Gaur
Mr. Tapas Kr. Saha
....For the State

Learned counsel for the petitioner submits that the petitioner is a lady accused of 25 years and she is in custody for about one year six months. Prosecution could examine only four out of 14 witnesses and there is no certainty as to when trial would be concluded and considering period of incarceration suffered by the present petitioner, she may be released on bail on any terms and conditions.

Learned counsel appearing on behalf of the State opposed the bail prayer contending that 22 kgs. of ganja was recovered from the exclusive possession of the present petitioner. He further submits that out of 14 witnesses, they have already examined 8 witnesses and they need to

examine 6 witnesses more which are expected to be concluded within a short span of time.

Having heard the learned counsel appearing on behalf of the petitioner and the State and that the commercial quantity of narcotic substance was recovered from the possession of the present petitioner and that the rigour of Section 37 of the NDPS Act clearly attracts in respect of the present petitioner, the prayer for bail is considered and rejected.

Accordingly, CRM (NDPS) 802 of 2025 is disposed of.

However, the trial court is requested to expedite the trial and to conclude the entire proceeding preferably within a period of eight months from the next date of hearing. If the petitioner finds no substantial progress in trial during the said period for which the delay would not be attributable to the petitioner, he will be at liberty to renew her bail prayer.

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.)

