

06.08.2025
Court No.29
Item No.34
(Rejected)

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION**

CRM (NDPS) 844 of 2025

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In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 3.7.2025 in connection with Suti Police Station Case No. 990 of 2024 dated 27.12.2024 under Sections 20(b)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985;

And

In the matter of :**Mujgera Khatun @ Mujkera Khatun.**
...Petitioner.

Mr. Anisur Rahaman.

...For the Petitioner.

Mr. P.P. Das,
Mr. Sachit Talukdar.

...For the State.

1. The prosecution case is that 96 bottles of Phensydil containing codeine phosphate was recovered from the house of Bikal Sk. The present petitioner was apprehended subsequently with the allegation that she fled away from the house when the search-seizure was carried out by the police. However, investigation has already been culminated into a charge-sheet and the investigation reveals that nothing was recovered from the possession of the present petitioner, who is a lady of 56 years old and is in custody since 25th January 2025. He further submits that the next date is fixed for charge hearing on 25th August 2025 and, as such, there is hardly any chance of early conclusion of trial and therefore she may be released on bail on any terms and conditions.
2. Learned Advocate appearing on behalf of the State opposed the bail prayer contending that the materials collected in the case diary including the statement collected during investigation reveals that the principal accused, namely, Bikal Sk. and the present petitioner who is his wife jointly involved in the dealings with narcotic substance for unlawful enrichment.

3. I have considered the submissions made on behalf of the petitioner and the State.
4. Having considered the materials placed before me it prima facie appears that there are reasonable grounds for believing that the petitioner is guilty of committing the offence and, as such, the restrictions imposed in Section of 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985, clearly attracts in respect of the present petitioner.
5. Considering the same, the prayer for bail of the petitioner is rejected.
6. Accordingly, CRM (NDPS) 844 of 2025 is disposed of.
7. 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.)