

16.10.2020

Item no. 12

Ct.11

CHC

Rejected

C.R.M. No.5933 of 2020
C.R.A.N.1 of 2020 (Old No.4371 of 2020)

(Physical Hearing)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure in connection with Baduria Police Station Case No. 613 of 2019 dated 24.12.2019 under Section 21(c) of the NDPS Act.

And

In the matter of:-

Jakir Hossain

... Petitioner

Mr. Habibur Rahaman

.. for the petitioner

Mr. Saibal Bapuli, Ld. A.P.P.
Ms. Sayanti Santra

..for the State

It is submitted by the learned counsel for the petitioner that petitioner has become a victim of circumstances in spite of being an authorised dealer of drugs.

Learned counsel, Mr. Bapuli representing the State submits that there is no provision for approval of 10.5 liters of codeine mixture permissible to a dealer for storage.

Having considered the materials already collected in the C.D. together with the report produced by the State, and bearing in mind the extent of recovery being above commercial quantity, we are not inclined to grant bail to the petitioner for the express bar engrafted in Section 37(2) of the N.D.P.S. Act.

The prayer for bail is refused.

CRM 5933 of 2020 and CRAN 1 of 2020 (Old No. CRAN 4371 of 2020) are disposed of.

(Subhasis Dasgupta, J.)

(Subrata Talukdar, J.)