

09.12.2021.
22.
as
(Rejected)

C.R.M. 5030 of 2021

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with N.D.P.S. Case No.9 of 2020 arising out of Kaliachak P.S. Case No.69 of 2020 dated 24.01.2020 under Sections 21(c)/29 of the NDPS Act.

In the matter of : Subrata Mandal & Anr.

... Petitioners.

Mr. Sandipan Ganguly, Sr. Adv.,
Mr. Amarendra Chakraborty.

...for the Petitioners.

Mr. Swapan Banerjee,
Mr. Suman De.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner is in custody for 621 days. He prays for bail.

Statements of witnesses as well as the contemporaneous document show recovery of narcotic substance above commercial quantity i.e. 614 grams of brown sugar i.e. heroin above commercial quantity from the joint possession of the petitioners.

In view of the aforesaid facts and in the light of the statutory restrictions under Section 37 of the N. D. P. S. Act, we are not inclined to grant bail to the petitioners.

Accordingly, the prayer for bail of the petitioners is rejected.

(Bivas Pattanayak,J.)

(Joymalya Bagchi, J.)

