

09.12.2021
Sl. No.91
akd
[Rejected]

C. R. M. 5690 of 2021 [via video conferencing]

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 25.08.2021 in connection with Kaliachak Police Station Case No. 452 of 2020 dated 11.06.2020 under Sections 21(c)/29 of the NDPS Act.

And

In Re: **Minna Sk. @ Minarul Sk. @ Minua**
... .. Petitioner

Mr. Musharraf Alam Sk.
... .. for the petitioner

Mr. Madhusudan Sur .. Ld. Addl. Public Prosecutor
Mr. Dipankar Paramanick
... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about one year and six months.

Learned Additional Public Prosecutor opposes the prayer for bail.

We have considered the materials on record. Statements of witnesses including contemporaneous document i.e. seizure memo disclose recovery of narcotic substance i.e. 257 gms. of *Heroin*, which is above commercial quantity from the joint possession of the petitioner and other co-accused persons.

Under such circumstances and in view of the statutory restrictions under Section 37 of the NDPS Act, we are not inclined in granting bail to the petitioner.

The application for bail is thus **rejected**.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)

