

34 05.04.2022
(AD) Court No.29
(Rejected)

C.R.M. (NDPS) 343 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Seizure Case No.33/Exp/CL/BSF/CVS/GJD-PU/2022-23** dated **23.01.2022** under Section **21(c)** of the NDPS Act.
And

In the matter of: Md. Ariful Islam

....petitioner.

Mr. Shubhojit Chowdhury
Mr. Debasis Kar

...for the petitioner.

Mr. Bhaskar Prosad Banerjee
Mr. Tapan Bhanja

... for the Customs.

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the petitioner is in custody for 71 days. The quantity of narcotics recovered is intermediate.

Learned Advocate appearing for the Customs submits that the petitioner is a Bangladeshi national. He opposes the prayer for bail.

It appears that the authorities did not invoke the Foreigners Act as against the petitioner although the petitioner describes himself to be a Bangladeshi national in the petition.

The authorities will, therefore, take appropriate steps with regard to the nationality of the petitioner.

Considering the fact that the petitioner is a Bangladeshi

national and considering the gravity of the offence and the involvement of the petitioner therein, we are unable to enlarge the petitioner on bail.

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

C.R.M. (NDPS) 343 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)