

06.06.2022.
11.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 499 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.189 of 2021 arising out of Raninagar P. S. Case No.403 of 2021 dated 08.09.2021 under Sections 21(c) of the N. D. P. S. Act.

In the matter of : Tapas Mondal.

... Petitioner.

Mr. Dipankar Mandal.

...for the Petitioner.

Mr. Sudip Ghosh,
Mr. Apurba Kr. Datta.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner is in custody for 268 days. It is submitted that he has been falsely implicated in the instant case.

Learned Advocate appearing for the State opposes the prayer for bail.

We have considered the materials on record which prima facie discloses recovery of narcotic substance above commercial quantity i.e. 216 bottles of phensydel syrup from the possession of the petitioner.

Under such circumstances and in view of the statutory restrictions under Section 37 of the N. D. P. S. Act, we are of the opinion that this is not a fit case to grant bail to the petitioner.

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

(Ananya Bandyopadhyay,J.)

(Joymalya Bagchi, J.)

