

06.06.2022.
16.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 507 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.236 of 2021 arising out of Berhampore P. S. Case No.1160 of 2021 dated 10.10.2021 under Sections 20(c)/29 of the N. D. P. S. Act.

In the matter of : Manas Sarkar.

... Petitioner.

Mr. Tanmay Basu.

...for the Petitioner.

Mr. Saibal Bapuli, Id. A.P.P.,
Mr. Bibaswan Bhattacharyya.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner is in custody for eight months. It is submitted signatures of all co-accuseds are not reflected in the seizure list.

Learned Additional Public Prosecutor opposes the prayer for bail. He submits narcotic substance above commercial quantity i.e. 100 kgs. of ganja was recovered from the possession of the petitioner and co-accuseds. Signature of the petitioner is appearing in the seizure as well as the arrest memo.

We have considered the materials on record. Statements of independent witnesses corroborate recovery of narcotic substance above commercial quantity from the possession of the petitioner and co-accuseds.

In view of the aforesaid facts and 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.)