

09.06.2022
Sl. No.13
akd
[Rejected]

C. R. M. (NDPS) 558 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 20.05.2022 in connection with Nazat Police Station Case No. 76 of 2021 dated 15.04.2021 under Section 21(c) of the NDPS Act.

And

In Re: ***Habibur Sekh @ Khokon Sekh @ Baccha Khokon***
... .. Petitioner

Mr. Angshuman Chakraborty
... .. for the petitioner

Mr. Ranabir Roy Chowdhury
Mr. Mainak Gupta
... .. for the State

Petitioner renews his prayer for bail. It is submitted on behalf of the petitioner he is in custody for about one year and two months. It is further submitted recovery of narcotic substance has not been witnessed by any of the inmates of the house.

Learned advocate appearing for the State opposes the prayer for bail and submits petitioner has criminal antecedents. On his leading statement, narcotic substance above commercial quantity was recovered from his residence. His prayer for bail was rejected earlier.

We have considered the materials on record. Statements of witnesses including the leading statement recorded in course of investigation along with contemporaneous document i.e. seizure memo disclose recovery of narcotic substance above commercial quantity from the residence of the petitioner. In view of the aforesaid materials on record, statutory restrictions under Section 37 of the NDPS Act and as the prayer for bail of the petitioner was rejected earlier, we are not inclined to grant bail to him.

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

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)