

09.06.2022.
17.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 566 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Suti P. S. Case No.204 of 2021 dated 05.06.2021 under Sections 21C/29 of the N. D. P. S. Act and Sections 13 & 14 of the Foreigners Act.

In the matter of : Senarul Sk. & Anr.

... Petitioners.

Mr. Soumik Ganguly,
Mr. Diptendu Banerjee.

...for the Petitioners.

Mr. Antarikhya Basu.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner is in custody for about 365 days. 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. Statements of witnesses including contemporaneous document i.e. seizure list shows recovery of narcotic substance above commercial quantity i.e. large quantity of Yabe tablets 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.)