

22.06.2022
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rejected

C.R.M. (NDPS) 686 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Hanskhali Police Station Case No. 51 of 2021 dated 26.01.2021 under Sections 13/14 of the Foreigners' Act and Section 21(c) of the NDPS Act.

And

In Re : Mihir Biswas petitioner

Mr. Kusal Kumar Mukherjee
... for the petitioner

Mr. Sanjoy Bardhan
Ms. Debjani Dasgupta
... for the State

Petitioner is in custody for 140 days.

Learned Counsel appearing for the petitioner submits that no narcotic substance was recovered from his possession. His signature is not appearing in the seizure list.

We have considered materials on record. Statements of the witnesses including arrest memorandum show that the petitioner was arrested from the spot where recovery of narcotic substance above commercial quantity was made. During medical examination he escaped from lawful custody.

In view of the aforesaid incriminating materials and bearing in mind conduct of the petitioner, we are not inclined to grant bail to the petitioner.

The application for bail is, thus, rejected.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)

