

06.07.2022
Sl. No.8
akd
[Rejected]

C. R. M. (NDPS) 701 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 21.06.2022 in connection with Bizpur Police Station Case No. 22 of 2020 dated 15.01.2020 under Sections 21(c)/29 of the NDPS Act.

And

In Re: ***Rahul Dey***

... .. Petitioner

Mr. Debasis Kar
Mr. Husen Mustafi

... .. for the petitioner

Mr. Sudip Ghosh
Mr. Bitasok Banerjee
Mr. Apurba Kumar Datta

... .. for the State

We have considered the materials on record. Statements of witnesses including contemporaneous document i.e. seizure memo disclose recovery of narcotic substance above commercial quantity from the petitioner. Co-accused has been enlarged on bail without considering the statutory restrictions under Section 37 of the NDPS Act. Under such circumstances, we are not inclined to grant bail to the petitioner either on merits or on principle of parity.

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

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)