

18.07.2022.
03.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 793 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.43 of 2019 arising out of Chinsurah P.S. Case No.391 of 2019 dated 10.11.2019 under Sections 20(b)(ii)(c) of the N. D. P. S. Act.

In the matter of : Ajit Mal @ Chandi.

... Petitioner.

Mr. Sudip Ghosh Chowdhury.

...for the Petitioner.

Mr. Sanjoy Bardhan,
Mr. Palash Chandra Majhi.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner is in custody for about 980 days. He submits his father is suffering from cancer.

Learned Advocate for the State opposes the prayer for bail.

Statements of witnesses and contemporaneous document show joint possession of narcotic substance above commercial quantity i.e. 20.150 kgs. of ganja from the petitioner and co-accused.

In view of the aforesaid materials on record and statutory restrictions under Section 37 of the N. D. P. S. Act, we are not inclined to grant bail to the petitioner.

On merits or on humanitarian ground as there are relations to take care of father of the petitioner, we are also not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner is rejected.

(Ananya Bandyopadhyay,J.)

(Joymalya Bagchi, J.)