

20.07.2022
Sl. No.12
akd
[Rejected]

C. R. M. (NDPS) 807 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 15.07.2022 in connection with Kaliachak Police Station Case No.619 of 2021 dated 13.06.2021 under Sections 21(c)/29 of the NDPS Act. (NDPS Case No.49 of 2021)

And

In Re: ***Najer Ali @ Najet***

... .. Petitioner

Mr. Sourav Chatterjee
Mr. Salman Hasan

... .. for the petitioner

Mr. Sudip Ghosh
Mr. Apurba Kumar Datta

... .. for the State

It is submitted on behalf of the petitioner he is in custody for about 402 days.

Learned advocate appearing for the State opposes the prayer for bail and submits narcotic substance above commercial quantity i.e. 305 gms. of *brown sugar* i.e. *Heroin* was recovered from the joint possession of the petitioner and co-accused.

We have considered the materials on record. Statements of witnesses including contemporaneous document i.e. seizure memo disclose recovery of narcotic substance i.e. 305 gms. of *brown sugar* i.e. *Heroin*, which is above commercial quantity from the joint possession of the petitioner and co-accused. Under such circumstances and in view of the statutory restrictions under Section 37 of the NDPS Act, we are not inclined in granting bail to the petitioner.

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

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)

